State and Community Programs Funded Under The Older Americans Act Policies and Procedures

Service Chapter 650-25

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State and Community Programs Funded Under the Older Americans Act Policies and Procedures 650-25

Purpose 650-25-01

(Revised 1/1/06 ML#2995)

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This manual outlines the Policies and Procedures governing the administration, management, and implementation of state and community programs funded under the Older Americans Act.

Legal References/Authority 650-25-05

(Revised 1/1/08 ML#3121)

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- Public Law 109-365, Older Americans Act of 1965, as amended in 2006
- North Dakota Century Code Chapter 50-06 (Department of Human Services)
- Public Law 98-502, Single Audit Act of 1984, as applicable
- Public Law 104-156, Single Audit Act Amendments of 1996, as applicable
- 45 Code of Federal Regulations Part 1321 (Grants for State and Community Programs)
- 45 Code of Federal Regulations Part 74 (Uniform Administrative Requirements for Awards and Sub-awards to Institutions of Higher Education), as applicable
- 45 Code of Federal Regulations Part 92, (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments), as applicable
- OMB Cost Principles, as applicable
- North Dakota Department of Human Services Contract, and all attachments
- North Dakota Administrative Code Chapter 33-33-04 (North Dakota Requirements for Food and Beverage Establishments)
- North Dakota Administrative Code Chapter 75-03-23 (Provision of Home and Community-Based Services under the Service Payments for Elderly and Disabled Program and Medicaid Waiver for the Aged and Disabled Program)

Definitions 650-25-10

(Revised 1/1/08 ML#3121)

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Definitions in this manual include descriptors of Older Americans Act programs/services that must be used in the completion of required Federal reporting.

Access Assistance **(National Family Caregiver Support Program)**		A service that assists caregivers in obtaining access to the available services and resources within their communities. A trained Caregiver Coordinator will assess caregiver needs, establish an option plan, and arrange for support services.
Activities of Daily Living (ADL)		Self-care activities performed daily without assistance, stand-by assistance, supervision or cues including eating, dressing, bathing, toileting, and transferring in and out of bed/chair and walking.

Aging & Disability Resource Center		*An entity established by a State as part of the State system of long-term care, to provide a coordinated system for providing:* *a. comprehensive information on the full range of available public and private long-term care programs, options, service providers, and resources within a community, including information on the availability of integrated long-term care;* *b. personal counseling to assist individuals in assessing their existing or anticipated long-term care needs, and developing and implementing a plan for long-term care designed to meet their specific needs and circumstances; and* *c. consumers' access to the range of publicly-supported long-term care programs for which consumers may be eligible, by serving as a convenient point of entry for such programs.*
Aging Services Division		The designated state agency in North Dakota to carry out the provisions of the Older Americans Act of 1965, as amended.

Advocacy		Actions taken on behalf of older individuals to secure their rights or benefits.
Alzheimer's Disease and Related Disorders		Any form of dementia characterized by neurological or organic brain dysfunction.
Assistive Safety Device		An adaptive and preventive health aid that will assist individuals in their activities of safe daily living.
At Risk for Institutional Placement		With respect to an older individual, such individual is unable to perform at least 2 activities of daily living without substantial assistance (including verbal reminding, physical cuing, or supervision) and is determined by the State to be in need of placement in a long-term care facility.
Caregiver **(National Family Caregiver Support Program)**		(See Family Caregiver)
Child **(National Family Caregiver Support Program)**		An individual who is not more than 18 years of age or who is an individual with a disability.
Client		An individual who meets eligibility requirements to receive services under the Older Americans Act.

Congregate Meals		A service that provides meals that assure a minimum of one-third of the recommended dietary allowances for a client who will be eating in a group setting.
Contract Entity		A legal entity that has entered into a contract with the Department of Human Services to receive funds under the Older Americans Act for service provision to eligible clients.
Cost Sharing		Process that allows clients to share in the cost of service provision through the use of a sliding fee scale and self-declaration of income.
Counseling **(National Family Caregiver Support Program)**		Counseling to caregivers to assist them in making decisions and solving problems relating to their caregiver roles. This includes counseling to individuals, support groups, and caregiver training (of individual caregivers and families).

Disability		A condition attributed to mental or physical impairment, or a combination of mental and physical impairments that results in substantial functional limitations in one or more of the following areas of major life activity: (1) self care, (2) receptive and expressive language, (3) learning, (4) mobility, (5) self direction, (6) capacity of independent living, (7) economic self sufficiency, (8) cognitive functioning, and (9) emotional adjustment.
Disease Prevention and Health Promotion		Services funded under Title III-D of the Older Americans Act including health risk assessments; routine health screening, which may include hypertension, glaucoma, cholesterol, cancer, vision, hearing, diabetes, bone density, and nutrition screening; nutritional counseling and educational services; evidence-based health promotion programs, including programs related to the prevention and mitigation of the effects of chronic disease (including osteoporosis, hypertension, obesity, diabetes, and cardiovascular disease), alcohol and substance abuse reduction, smoking cessation, weight loss and control, stress management, falls prevention, physical activity and improved

		nutrition; programs regarding physical fitness and group exercise; home injury control; screening for the prevention of depression and coordination of community mental health services; medication management services; information concerning diagnosis, prevention, treatment and rehabilitation of age-related diseases and chronic disabling conditions; and gerontological counseling. Service priority shall be given to areas of the state that are medically underserved and have a large number of older individuals who have the greatest economic need for such services.
Economic Need		(See Greatest Economic Need).
Eligible Client		(See Client).
Equipment		Tangible nonexpendable personal property, including exempt property, charged directly to a Contract having a useful life of more than one year and an acquisition cost of $5000 or more per unit.

Escort/Shopping Assistance		An allowable service activity under Outreach Services that consists of accompanying and personally assisting or arranging for someone to accompany and personally assist a client with physical or cognitive difficulties obtain a service outside the home environment. Shopping assistance may include purchasing items for homebound clients.
Exploitation		The fraudulent or otherwise illegal, unauthorized, or improper act or process of an individual, including a caregiver (an individual who has the responsibility for the care of an older individual, either voluntarily, by contract, by receipt of payment for care, or as a result of the operation of law and means a family member or other individual who provides, on behalf of such individual or of a public or private agency, organization, or institution, compensated or uncompensated care to an older individual) or fiduciary, that uses the resources of an older individual for monetary or personal benefit, profit, or gain, or that results in depriving an older individual of rightful access to, or use of, benefits, resources, belongings, or assets.

Family Caregiver **(National Family Caregiver Support Program)**		An adult family member, or another individual, who is an informal provider of in-home and community care to an older individual or to an older individual with Alzheimer's disease or a related disorder with neurological and organic brain dysfunction. "Informal" means that the care is not provided as a part of a public service program or payment is received through a private service program.
Fiduciary		A person or entity with the legal responsibility to make decisions on behalf of and for the benefit of another person and to act in good faith with fairness. This includes a trustee, a guardian, a conservator, an executor, an agent under a financial power of attorney or health care power of attorney, or a representative payee.
Focal Point		A facility established to encourage the maximum co-location and coordination of services for older individuals. The eight Regional Human Service Centers have been designated as focal points.
Functionally Impaired		A condition characterized by the inability of an individual to perform a number of activities of daily living (ADL) and/or instrumental activities of daily living (IADL) without assistance.

Governor's Committee on Aging		A fourteen member committee appointed by the Governor that serves in an advisory capacity to the Governor and to Aging Services Division; provides local input, acts as an advocate for the service needs of older individuals, and sponsors Statehouse Conferences on Aging and/or Governor's Forums on Aging.
Grandparent or Older Individual Who is a Relative Caregiver **(National Family Caregiver Support Program)**		A grandparent or step-grandparent of a child, or a relative of a child by blood or marriage, or adoption who is 55 years of age or older and (a) lives with the child; (b) is the primary caregiver of the child because the biological or adoptive parents are unable or unwilling to serve as the primary caregiver of the child; and (c) has a legal relationship to the child, such as legal custody or guardianship, or is raising the child informally.
Greatest Economic Need		The need resulting from an income level at or below the poverty line [as defined by the Office of Management and Budget, and adjusted by the Secretary in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)].

Greatest Social Need		The need caused by non-economic factors which include: (a) physical and mental disabilities; (b) language barriers; and (c) cultural, social, or geographic isolation, including isolation caused by racial or ethnic status, that (i) restricts the ability of an individual to perform normal daily tasks; or (ii) threatens the capacity of the individual to live independently.
Health Maintenance		A combination of services provided in an effort to determine and maintain the health and well being of clients, which includes monitoring and screening procedures for early detection of disease processes, health education, referral, and follow-up.
High Nutritional Risk		Any client determined through the use of the Nutrition Screening Checklist to be at high nutritional risk. High nutritional risk is defined as a score of 6 or higher using the checklist.
Home and Community-Based Services		An array of services that are essential and appropriate to sustain individuals in their homes and communities, and to delay or prevent institutional care.

Homebound		Unable to leave a place of residence due to limited physical mobility; emotional or psychological impairments that prohibit participation at a meal site; or a geographic location is so remote that transporting a client to and from a site is prohibitive.
Home-Delivered Meals		A service that provides meals that assure a minimum of one third of the recommended dietary allowances for a client who is homebound and unable to prepare an adequate meal.
Ineligible Participant		Individuals who do not meet Older Americans Act eligibility requirements. Ineligible participants are required to pay the full cost of a service.
In Home Services		Includes homemaker and home health aide; visiting and telephone reassurance; chore maintenance; in-home respite care and adult day care as a respite service for families; minor modification of homes; personal care services, and other in-home services as defined in by the State/Area Agency in the State Plan.

Information and Assistance		A one-on-one service for older individuals that (a) provides individuals with information on opportunities and services available within their communities, including information relating to assistive technology; (b) assesses problems and capabilities of the individuals; (c) links the individuals to the services and opportunities that are available; (d) to the maximum extent practicable, establish adequate follow-up procedures; and (e) serve the entire community of older individuals, particularly older individuals with greatest economic need, greatest social need, and older individuals at risk for institutional placement.
Information Services **(National Family Caregiver Support Program)**		A service for caregivers that provides the public and individuals with information on resources and services available to the individuals within their communities.

Instrumental Activities of Daily Living (IADL)		Independent living tasks that typically require mental/cognitive (memory, judgment, intellect) and/or physical ability such as: preparing meals, shopping for personal items, medication management, managing money, using telephone, doing heavy housework, doing light housework, transportation ability. Transportation ability refers to the individual's ability to make use of available transportation.
Legal Assistance		Legal advice and representation provided by an attorney to older individuals with economic or social needs and includes (i) to the extent feasible, counseling or other appropriate assistance by a paralegal or law student under the direct supervision of an attorney; and (ii) counseling or representation by a nonlawyer where permitted by law.
Licensed Registered Dietitian		A person licensed to practice dietetics as provided in North Dakota Century Code Chapter 43-44.
Limited English Proficiency		An individual who is not fluent in the spoken English language.

Living Alone		A one-person household where the householder lives by his or herself in an owned or rented place of residence in a non-institutional setting.
Long-Term Care		Any service, care, or item (including an assistive device), including disease prevention and health promotion service, an in-home service, and a case management service (a) intended to assist individuals in coping with, and to the extent practicable compensate for, a functional impairment in carrying out activities of daily living; (b) furnished at home, in a community care setting , or in a long-term care facility; and (c) not furnished to prevent, diagnose, treat, or cure a medical disease or condition.
Long-Term Care Facility		A facility defined in North Dakota Century Code Chapter 50-10.1, as any assisted living facility, any skilled nursing facility, basic care facility, nursing home as defined in subsection 3 of the North Dakota Century Code section 43-34-01, or swing bed hospital approved to furnish long-term care services.

Long-Term Care Ombudsman		An individual who identifies, investigates, and resolves complaints made by or on behalf of residents of long-term care facilities and tenants of assisted living facilities. The ombudsman also works in other ways to protect the health, safety, welfare, and rights of residents/tenants.
Minority Elderly		Individuals 60 years of age or over who are confined to the following designations: American Indian or Alaskan Native; Asian; Black or African American, not of Hispanic origin; Hispanic or Latino; origin; American Indian or Alaskan Native, and Asian American/Pacific Islander and Native Hawaiian or other Pacific Islander.
Multipurpose Senior Center		A community facility for the organization and provision of a broad spectrum of services, which includes the provision of health (including mental health), social, nutritional, educational, and recreational activities.
National Aging Program Information System (NAPIS)		Annual performance reporting requirements established by the Administration on Aging for Older Americans Act programs. The system includes the State Program Report.

National Family Caregiver Support Program		Provides for a multifaceted system of support services for family caregivers and for grandparents or older individuals that are relative caregivers. Support services include information to caregivers about available services; assistance to caregivers in gaining access to the services; individual counseling, organization of support groups, and caregiver training to caregivers to assist the caregivers in making decisions and solving problems relating to their care giving roles; respite care to enable caregivers to be temporarily relieved from their care giving responsibilities and supplemental services, on a limited basis, to complement the care provided by the caregivers. Priority for services shall be given to older individuals with greatest social and economic need (with particular attention to low-income older individuals) and older individuals providing care and support to older individuals with mental retardation and related developmental disabilities (as defined in 42 U.S.C. 6001). Services are funded under Title III-E of the Older Americans Act.

Neglect		The failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an older individual; or self neglect.
New Client		Any client who has never been previously registered as a client for the service, either in the current fiscal year or a prior fiscal year by a contract entity funded with Older Americans Act funds in the planning and service area.
Non-Minority		Any individual who is not considered a minority.
Nutrition Counseling		Provision of individualized advice and guidance to individuals, who are at nutritional risk, because of their health or nutritional history, dietary intake, medications use or chronic illnesses, about options and methods for improving their nutritional status, performed by a licensed registered dietitian in accordance with North Dakota Century Code Chapter 43-44.

Nutrition Education		The provision of scheduled learning experiences on topics related to the improvement of health and nutritional well being. A program to promote better health by providing accurate and culturally sensitive nutrition, physical fitness, or health (as it relates to nutrition) information and instruction to participants, caregivers, or participants or caregivers in a group or individual setting overseen by a dietitian or individual with comparable expertise.
Nutrition Screening		Completion of a nutrition screening checklist by eligible clients to determine if they are at nutritional risk. Nutritional screening data is a federal collection requirement of the National Aging Program Information System (NAPIS), found in the Federal Register, Volume 59, No. 188, September 29, 1994.
Nutrition Services		Services funded under Title III-C of the Older Americans Act including congregate and home-delivered meals, nutrition counseling, nutrition screening, and nutrition education.

Nutrition Services Incentive Program (NSIP)		Receipt of cash and/or commodities as an incentive to encourage and reward effective performance in the efficient delivery of nutritious meals to older individuals.
Nutrition Services Incentive Program (NSIP) Meal		A meal served in compliance with all the requirements of the Older Americans Act (OAA), which means at a minimum that: 1) it has been served to a participant who is eligible under the OAA and has not been means-tested for participation (i.e. meals provided to individuals through means-tested programs such as Medicaid Title XIX waiver meals or other programs such as state-funded means-tested programs are excluded from the NSIP meals); 2) it is compliant with the nutrition requirements; 3) it is served by an eligible agency; and 4) it is served to an individual who has an opportunity to contribute. NSIP Meals include all OAA eligible meals including those served to persons under age 60 where authorized by the OAA.
Older Individual (Person)		An individual who is 60 years of age or older.

Older Americans Act of 1965		Public Law 89-73, first enacted in 1965, amended 13 times between 1965 and 2006; directed to improving the lives of America's older individuals, particularly in relation to income, health, housing, employment, long-term care, retirement and community services. The Act also established the Administration on Aging within the United States Department of Health and Human Services.
Outreach		A personalized approach to seeking out older individuals and identifying their service needs with an emphasis on referral and linkage to available services. Service activities also include determining eligibility for home-delivered meals service and escort/shopping assistance.
Person with Comparable Expertise		For Nutrition Services, includes the following: licensed nutritionist, dietary technician or certified dietary manager.
Poverty		An individual with an annual income at or below the Federally established poverty level.

Program Income		Income received as a service contribution from eligible clients and income from ineligible participants (must pay the full cost of a meal). Program income must be used towards the cost of the service to expand and/or enhance services.
Program Income Carryover		Program income that is not expended during the contract period.
Rapid Inspection		Nursing task accomplished by limited observation of a client to detect status of visible health conditions.
Respite Care **(National Family Caregiver Support Program)**		Services that offer temporary, substitute supports or living arrangements for older persons in order to provide a brief period of relief or rest for caregivers. Respite Care includes: (1) In-home respite (personal care and other in-home respite); (2) respite provided by attendance of the care recipient at a senior center or other nonresidential program; and 3) institutional respite provided by placing the care recipient in an institutional setting such as a nursing home for a short period of time as a respite service to the caregiver.

Rural		Any area that is not defined as urban. Urban areas comprise (1) urbanized areas (a central place and its adjacent densely settled territories with a combined minimum population of 50,000) and (2) an incorporated place or a census designated place with 20,000 or more inhabitants.
Self-Directed Care		An approach to providing services (including programs, benefits, supports, and technology) under the Older Americans Act intended to assist an individual with activities of daily living in which (a) such services (including the amount, duration, scope, provider, and location of such services) are planned, budgeted, and purchased under the direction and control of such individual; (b) such individual is provided with such information and assistance as are necessary to and appropriate to enable such individual to make informed decisions about the individual's care options; (c) the needs, capabilities, and preferences of such individual with respect to such services, and such individual's ability to direct and control the individual's receipt of such services, are assessed by the State/Area Agency (or other agency designated by the State/Area Agency) involved;

		(d) based on the assessment made under subparagraph (c), the State/Area Agency develops together with such individual and the individual's family, caregiver or legal representative, (i) a plan for services for such individual that specifies which services such individual will be responsible for directing; (ii) a determination of the role of family members (and others whose participation is sought by such individual) in providing services under such plan; and (e) the State/Area Agency provides for oversight of such individual's self-directed receipt of services, including steps to ensure the quality of services provided and the appropriate use of funds under the Older Americans Act.
Self-Neglect		An adult's inability, due to physical or mental impairment or diminished capacity, to perform essential self-care tasks including (a) obtaining essential food, clothing, shelter, and medical care; (b) obtaining goods and services necessary to maintain physical health, mental health, or general safety; or (c) managing one's own financial affairs.

Senior Companion Services		A service that offers periodic companionship and non-medical support by volunteers (who receive a stipend) to adults with special needs.
Service Contribution		See Program Income.
Severe Disability		A severe, chronic condition attributable to mental or physical impairment, or a combination of mental and physical impairments that (a) is likely to continue indefinitely; and (b) results in substantial functional limitation in three or more of the following major life activities: self-care; receptive and expressive language; learning; mobility; self-direction; capacity for independent living; and economic self-sufficiency.
Shelf Stable Meal		A combination of pre-portioned foods that can be stored and consumed at room temperature. Shelf stable meals are distributed for use in emergency situations, such as when meals cannot be delivered due to severe weather. Each meal must provide one-third of the Recommended Dietary Allowances.
Social Need		(See Greatest Social Need).

State Plan on Aging		A planning and compliance document that is required by the Older Americans Act for the provision of services for older individuals.
Supportive Services		Services funded under Title III - B of the Older Americans Act, including but not limited to outreach, health maintenance, transportation, information and assistance, and legal services.
Supplemental Services **(National Family Caregiver Support Program)**		Services provided on a limited basis to complement the care provided by caregivers.
Targeting		A concentrated effort to provide services and programs to a specific group.
Transportation		A service that provides a method of travel from one specific location to another specific location. All transportation services will be provided through the Department of Transportation.
Unduplicated Client Count		For NAPIS purposes, the counting an eligible individual only one time during a federal fiscal year, regardless of the number of services the individual receives.

Vulnerable Adult		An adult who has a substantial functional or mental impairment. [(A) Substantial functional impairment is a significant limitation in the adult's ability to live independently or provide self-care. This limitation is due to physical incapabilities that are determined through observation, diagnosis, evaluation or assessment. (B) Substantial mental impairment is a significant disorder of thought, mood, perception, orientation, or memory that grossly impairs judgment, behavior, or ability to live independently or provide self-care. It is determined through observation, diagnosis, evaluation or assessment.]
Vulnerable Adult Protective Services		Remedial social, legal, health, mental health, and referral services provided for prevention, correction, or discontinuation of abuse or neglect which are necessary and appropriate under the circumstances to protect an abused or neglected vulnerable adult, and ensures that the lease restrictive alternatives provided prevent further abuse or neglect, and promote self-care and independent living. (Reference: North Dakota Century Code Chapter 50-25)

Overview of the Older Americans Act 650-25-15

(Revised 1/1/08 ML#3121)

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The Older Americans Act of 1965 provides assistance in the development of new or improved programs to help older persons through grants to states for community planning and services. It also provides for training, research, and discretionary projects. Further, it establishes, within the United States Department of Health and Human Services, an operating agency designated as the Administration on Aging.

The Older Americans Act of 1965, as amended in 2006, contains the following Titles:

1. Title I outlines objectives to improve the lives of older Americans in the areas of income, physical health, mental health, housing, long-term care services, employment, retirement, education and recreation opportunities, and community services.
2. Title II establishes the Administration on Aging, headed by an Assistant Secretary for Aging, within the Office of the Secretary of Health and Human Services. The Assistant Secretary for Aging is appointed by the President of the United States with the advice and consent of the Senate. The Title further establishes within the Administration on Aging, an Office for American Indian, Alaskan Native, and Native Hawaiian Aging; and an Office of the Long-Term Care Ombudsman Program. The 2006 amendments broaden the role of the Administration on Aging in the following areas: elder abuse and prevention services, mental health services authorized under the Act, expansion of Aging and Disability Resource Centers to all states; coordination with the Centers for Medicare and Medicaid and other federal agencies to promote self-directed care, build awareness of federal programs and benefits, and establish a National Center on

Senior Benefits Outreach and Enrollment; and coordinate with the Corporation for National and Community Service to encourage volunteer and civic engagement activities for all ages in supportive services and community capacity building initiatives. Authority is also given for a Federal Interagency Coordinating Committee on Aging to focus on a broad range of aging issues, with emphasis on housing, supportive services, data collection, technology, and streamlining access to all services.

3. Title III provides funding for the development of comprehensive and coordinated service systems that allow older persons to lead independent, meaningful, and dignified lives in their own homes and communities. Imbedded throughout the title are the principles outlined in the "Choices for Independence" initiative including consumer empowerment, flexible options and more choices for high-risk individuals, healthy lifestyles, evidence-based disease prevention initiatives, Aging and Disability Resource Centers, and emergency/disaster preparedness. Part A outlines the purpose and administration of this Title; Part B allows for the provision of supportive services and senior centers; Part C allows for the provision of nutrition services; Part D allows for disease prevention and health promotion services; Part E addresses the National Family Caregiver Support Program. Services provided under this title must be coordinated with services under Title VI, if applicable.
4. Title IV provides funding for grant awards to design, test, and promote the use of innovative ideas and best practices in programs and services addressing health, independence, and longevity.
5. Title V promotes useful community service and employment opportunities for unemployed, low-income persons who are age fifty-five and older.
6. Title VI provides funding for the delivery of supportive services and nutrition services to American Indians, Alaskan Natives, and Native Hawaiians that are comparable to services provided under Title III. The Native American Caregiver Support Program is also provided under this title.

Grants under this Title are administered by the Administration on Aging.

7. Title VII provides funding for elder rights protection activities for vulnerable adults.

Department of Human Services Mission Statement 650-25-20

(Revised 1/1/06 ML#2995)

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Our mission is to provide quality, efficient, and effective human services, which improve the lives of people.

To carry out this mission, Aging Services Division will, in a leadership role, advocate for individual life choices and develop quality services in response to the needs of vulnerable adults, persons with physical disabilities and an aging society.

Division of Administrative & Management Functions 650-25-25

(Revised 1/1/06 ML#2995)

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The Department of Human Services, Aging Services Division, is designated by the Governor as the sole state agency to administer programs and services under the Act.

Planning and Service Area 650-25-25-01

(Revised 1/1/06 ML#2995)

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The State of North Dakota requested and received designation as a single planning and service area (PSA) from the Administration on Aging. Single PSA status requires the State to carry out the functions of both the State Agency and the Area Agency on Aging as outlined in the Older Americans Act.

Regional Aging Services Program Administrators, located within each of the State's Planning Regions, work directly with Aging Services Division in program administration. The eight Human Service Centers have been designated as focal points.

State Plan on Aging 650-25-25-05

(Revised 1/1/06 ML#2995)

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The State Plan on Aging serves as a planning and compliance document for the provision of services for North Dakota's older individuals. Developed as a four-year plan, it outlines specific focus areas, goals and objectives to implement the Plan. Addendums to the Plan include Assurances and the Older Americans Act Budget.

Governor's Committee on Aging 650-25-25-10

(Revised 1/1/06 ML#2995)

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The Governor’s Committee on Aging is the designated advisory committee for Aging Services Division. Members are appointed by the Governor to serve a three-year term. Periodically, the Committee conducts Statehouse Conferences on Aging and/or Governor's Forums that identify and address major issues affecting North Dakota’s older persons.

Advocacy 650-25-25-15

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Aging Services Division advocates for the needs of older individuals as appropriate and as time, resources, and Department policies permit. The State Plan on Aging outlines specific advocacy efforts.

Technical Assistance 650-25-25-20

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Aging Services Division provides technical assistance to organizations, agencies, associations, or individuals representing the needs of older persons.

Confidentiality 650-25-25-25

(Revised 1/1/06 ML#2995)

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Aging Services Division is governed by the confidentiality policies of the Department of Human Services, Service Chapter 110-01.

Hearings 650-25-25-30

(Revised 1/1/06 ML#2995)

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Aging Services Division conducts public hearings to obtain input to develop the State Plan on Aging. Other public hearings are scheduled as requested and as necessary. Public input is also received through regional Council on Aging meetings.

Grievances 650-25-25-35

(Revised 1/1/07 ML#3061)

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A recipient of Older Americans Act funds/services may file a grievance in writing to the Director of the Aging Services Division. The grievance statement must list the facts related to the grievance, the nature of the grievance, and any request for resolution. The grievance should be made in writing within thirty (30) days of the action. A response to the grievance will be made within five (5) working days of receipt of the grievance.

All contract entities are required to include grievance procedures for older individuals who are dissatisfied with or denied services in their Program Policies and Procedures Manual.

Poverty Guidelines 650-25-25-45

(Revised 1/1/06 ML#2995)

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Poverty guidelines are based on the definition of poverty maintained by the Office of Management and Budget and the Bureau of Census. Poverty thresholds are adjusted by the Secretary of the United States Department of Health and Human Services before being converted into poverty guidelines. The Secretary provides an annual update of the poverty guidelines to be used in assessing low-income status for recipients of Older Americans Act funded services. Updated poverty guidelines will be issued upon receipt.

Records 650-25-25-50

(Revised 1/1/06 ML#2995)

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1. The Department, the Federal Government, and their duly authorized representatives shall have access to the books, documents, papers, and financial and program records, (both electronic and hard copy) of the contract entity and subcontract entity which are pertinent to the services provided under the Contract for the purposes of making an audit, examination, or making excerpts and transcripts as well as for the purpose of conducting assessments/reviews. All contract entity and subcontract entity books and records pertinent to the services provided under the Contract must be available upon request at the contract entity address as identified on the Identifying Data Form. Access shall be available during normal business hours or at pre-arranged times.
2. Upon termination of the Contract for non-performance, or any other breach, or termination subject to notice provided in the Contract, or upon expiration of the term of the Contract and if requested by the State, the contract entity shall deliver to the Department, or any other person designated by the Department, original copies of all client records, including the completed SAMS assessment forms, and service delivery/utilization reports records. This includes client records of the contract entity and the subcontract entity.
3. Financial and program books and records shall be available for a period of three years from the date of submission of the final federal expenditure report or if subject to audit, until such audit is completed and closed, whichever occurs later. A hard copy must be on file prior to purging electronic files.
4. Records for senior center acquisition must be retained for ten years following acquisition.

5. Records for senior center construction must be retained for twenty years following the completion of the project.

Equipment 650-25-25-55

(Revised 1/1/06 ML#2995)

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1. Equipment procured with funds derived from the contract and/or program income is considered federal property.
2. Equipment purchases cannot be made with Older American Act funds or program income unless written approval is granted by the Department.
3. Upon request, each contract entity must submit to Aging Services Division an inventory listing of equipment purchased with Older Americans Act funds, including program income, which has a unit acquisition cost of $5000 or more. The inventory listing must include a description of the equipment, the serial number or other identification number (if applicable), source of the equipment, including contract award number, the acquisition date, acquisition price, OAA fund portion, local fund portion, the location and condition of the equipment, and ultimate disposition data including the date of disposal and sales price or the method used to determine current fair market value where a contract entity compensates the Department for its share. Original invoices for equipment purchases should be kept on file.
4. The Department reserves the right to transfer any equipment in accordance with applicable federal regulations.
5. When equipment is no longer used in a program currently or previously sponsored by the Federal Government, disposition of the equipment must be made in accordance with applicable federal regulations.

Priority Services 650-25-25-60

(Revised 1/1/06 ML#2995)

View Archives

Service priorities are based on needs assessments, public hearings, client and provider surveys, outcomes from pilot projects, related studies, and federal regulations governing Older Americans Act funds.

Target Groups 650-25-25-65

(Revised 1/1/08 ML#3121)

View Archives

Services will be targeted to older individuals residing in rural areas; older individuals with greatest economic need (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas); older individuals with greatest social need (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas); older individuals with severe disabilities; older individuals with limited English-proficiency; older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction and their caretakers; and older individuals at risk for institutional placement.

Direct Services 650-25-25-70

(Revised 1/1/08 ML#3121)

View Archives

Aging Services Division provides the following direct services:

- Information and Assistance Services: Aging Services Division operates the North Dakota Aging and Disability Resource Link, a toll free line that provides information and assists the caller in accessing programs and services across the state (North Dakota Department of Human Services Manual Chapter pending).
- Ombudsman Services: The State Ombudsman, along with Regional Ombudsmen, receive, investigate and resolve concerns on behalf of residents in long-term care facilities and tenants of assisted living facilities. Community Volunteer Ombudsmen have been certified to assist with the program. (North Dakota Department of Human Services Manual Chapter 695-01, Long-Term Care Ombudsman Program.)
- Vulnerable Adult Protective Services: The State Legal Assistance Developer, along with regional staff, have implemented a system to respond to concerns of abuse, neglect, and exploitation. (North Dakota Department of Human Services Manual Chapter 690-01, Vulnerable Adult Protective Services.)

Legislative Directives 650-25-25-75

(Revised 1/1/06 ML#2995)

View Archives

Aging Services Division is actively involved in interim legislative studies as directed by the State Legislature.

Services/Program Service Standards 650-25-25-80

(Revised 1/1/07 ML#3061)

View Archives

Aging Services Division contracts through a request for proposal for provision of health maintenance, legal, nutrition, and outreach services. Aging Services Division also contracts for the provision of senior companion services, disease prevention and health promotion services, family caregiver support services, and other needed services as funding allows.

Contract entities must meet minimum standards for each service of the program. The following Program Service Standards are included in this chapter: family caregiver support services, health maintenance, legal, nutrition, outreach, and senior companion. Standards for other services are included with the Contract document.

Family Caregiver Support Program Service Standard 650-25-30

(Revised 8/1/07 ML#3105)

View Archives

The family caregiver support program provides for a multifaceted system of support services for family caregivers and for grandparents or older individuals that are relative caregivers. Priority for services shall be given to:

1. Older individuals with low income including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas.
2. Older individuals providing care and support to persons with mental retardation and related developmental disabilities (as defined in 42 U.S.C. 6001) who are not eligible for existing North Dakota Department of Human Services Developmental Disability services.
3. Family caregivers who provide care for individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction.
4. Grandparents or older individuals who are relative caregivers who provide care for children with severe disabilities.

Performance Standards 650-25-30-01

Eligible Clients 650-25-30-01-01

(Revised 7/1/08 ML#3150)

View Archives

1. Family caregivers of older individuals age 60 and older.
2. Grandparents and relative caregivers age 55 and older who care for children not more than 18 years of age.
3. Grandparent or relative caregivers providing care for adult children with a disability who are between 19 and 59 years of age. These caregivers must be 55 years and older and cannot be the child's parent.
4. Individuals caring for a person with Alzheimer's disease or a related dementia, regardless of the age of the person with dementia.

Repealed

Eligible Clients - Alzheimer's Demonstration Project 650-25-30-01-05

(Repealed 8/1/09 ML#3186)

View Archives

Location of Service 650-25-30-01-10

(Revised 7/1/10 ML#3222)

View Archives

The majority of services will be provided in the home where care is provided. Educational opportunities, support groups and other services may be delivered in the community. Respite care may be delivered in the home, adult/child day care setting, licensed adult or child family foster care home, or institutional setting on an occasional or emergency basis.

Service Categories 650-25-30-01-15

(Revised 7/1/10 ML#3222)

View Archives

1. Information to caregivers about available services.
   a. Information is defined as group services, including public education, provision of information at health fairs, expos and other similar events.
   b. Outreach is defined as interventions for the purpose of identifying potential caregivers and encouraging their use of existing services and benefits.
2. Assistance to caregivers in gaining access to services.

   "Assistance" is defined as one-on-one contact to provide:

   a. Information and Assistance - A service that provides current information on opportunities and services available; assesses the problems and capacities of the individuals; links the individuals to the opportunities and services available; to the maximum extent practicable, ensures that the individuals receive the services needed, and are aware of the opportunities available to the individuals by establishing adequate follow-up procedures.

   b. Case Management - Assistance either in the form of access or care coordination in circumstances where the older person or their caregivers are experiencing diminished functioning capacities, personal conditions or other characteristics which require the provision of services by formal service providers. Activities of case management include assessing needs, developing Caregiver Option Plans, authorizing services, arranging services, coordinating the provision of services among providers, follow-up and reassessment, as required.

3. Individual counseling, organization of support groups, and caregiver training to caregivers to assist the caregivers in

making decisions and solving problems relating to their caregiving roles.

a. Counseling/Support Groups/Training - Provision of assistance to caregivers in the areas of health, nutrition, and financial literacy; and in making decisions and solving problems in relation to their caregiving roles.

4. Respite care.

a. Temporary relief from the stresses and demands associated with daily 24-hour care or for emergencies for a grandparent/ relative caregiver or for a primary caregiver who is caring for an older adult with at least two activities of daily living (ADL) impairments or a cognitive impairment. It can be in the form of in-home respite, adult/child day care respite, licensed adult or child family foster care home, or institutional respite on an occasional or emergency basis.

The ADL impairment requirement for respite services eligibility does not apply to children ages 18 and under.

5. Supplemental Services are provided on a limited basis to complement the care provided by caregivers. Funding for services is outlined in the FFY allocation. Supplemental services provides for:

a. Reimbursement for incontinent supplies.

b. Reimbursement for assistive devices not covered under the Aging Services Assistive Devices contract.

Delivery Characteristics 650-25-30-01-20

(Revised 7/1/08 ML#3150)

View Archives

Caregiver support services must be available statewide.

1. All referrals must be contacted within two working days.
2. The Caregiver Assessment Tool must be completed in the SAMS data collection system to document need. The tool is available through the web-based SAMS data collection system.
3. Individuals seeking services must be provided with service options. The individual has the right to make an independent choice of service providers.
4. All contacts, including telephone calls, must be documented. The documentation shall include a brief descriptive statement of the interaction, including any service needs identified, alternatives explored, and service delivery options offered.
5. Each client and provider case record must be maintained in an individualized file and secured in a locked file cabinet, a locked area, or a restricted computer program.
6. Coordinate service activities with existing community agencies and voluntary organizations to maximize service provision and avoid duplication.
7. All services must be promoted through a variety of social service networks i.e., churches, service organizations, schools, professional conferences, etc.
8. A signed release of information document for every service provider must be on file before information can be shared or released.
9. A Notice of Privacy Practices (DN 900) will be given to every caregiver and a signed Acknowledgement of Receipt of the Notice of Private Practices (SFN 936) will be kept in the record.

Billable Services 650-25-30-05

(Revised 7/1/06 ML#3043)

View Archives

The following outlines allowable tasks under each service category. The tasks identified under the Information and the Assistance categories are direct services provided by the Caregiver Coordinator with the exception of public education. Public education must be authorized by the Caregiver Coordinator but may be provided by other individuals/agencies. Community and Program development is also a billable direct service task (under Counseling, Support Groups, Training service category). Tasks in the other service categories must be authorized by the Caregiver Coordinator but may be provided by other individuals/agencies. In order for federal reporting requirements to be met, billing procedures for Information, Assistance, and Community and Program Development require the Caregiver Coordinator to complete a time study. Reimbursement for other services must be completed in accordance with Human Service Center procedures and reimbursements must be processed no later than 15 days after the end of the monthly service period.

1. Information.
    - Outreach / Client Identification
    - Public Education
2. Assistance.
    - Information & Assistance
    - Caregiver Assessments
    - Caregiver Option Plan Design & Implementation
3. Counseling, Support Groups, Training.
    - Individual Caregiver Counseling
    - Community & Program Development
    - Individualized Caregiver Training

4. Respite.
    - Respite Care
5. Supplemental Services
    - Assistive Devices
    - Incontinence Supplies

Service Activities 650-25-30-10

(Revised 7/1/10 ML#3222)

View Archives

1. Outreach/Client Identification.
    - Booths at health fairs
    - Mailing out FCSP brochures
    - Posting FCSP flyers
    - Public service announcements advertising the FCSP and services
    - Church bulletin inserts
    - Media events which advertise the FCSP and services
    - School newsletters/company employee newsletters advertising the FCSP and services
    - Conduct outreach activities that will seek out and identify eligible caregivers in the community. Outreach activities must be coordinated with existing Older Americans Act outreach service contract entities.
2. Public Education.
    - Participate in coalitions and/or planning committees which focus on aging/caregiving services needs, issues, events
    - Public presentations regarding caregiving and grandparent issues
    - Newsletters/newspaper articles which provide information on grandparent or caregiving issues
    - Public caregiver trainings that focus on caregiving or grandparent issues; i.e. Dementia Training.
3. Information & Assistance.
    - Provide information and assistance services to caregivers using the resources available through the North Dakota

Aging and Disability Resource LINK online database at www.carechoice.nd.gov.

- Phone calls requesting program information for new or prospective clients
- Send information to an individual caregiver or relative caregiver regarding services available in their community
- Assistance individuals to become enrolled as Qualified Service Providers (QSP)

4. Caregiver Assessments.
    - Make home visits or arrange for visits in a location convenient for the caregiver; complete individual caregiver assessments on all eligible caregivers using the SAMS Caregiver Assessment Tool which can be accessed through the web-based SAMS data collection system. Caregiver assessments will identify needs of the individual caregiver including needs unique to individuals providing care while they are employed outside the home; to grandchildren not more than 18 years of age or are an individual with a disability; to individuals with Alzheimer's/dementia; to individuals with cognitive impairments; to individuals with developmental disabilities/mental retardation; to individuals with mental illness; to individuals with physical disabilities; to individuals with substance abuse problems; and to individuals at the end of life.
    - Caregiver assessments must be updated on an annual basis.
5. Caregiver Option Plan Design & Implementation.
    - Using the results of the Caregiver Assessment Tool, design & implement individualized Caregiver Option Plans (SFN 165) that address the needs unique to the individual providing care. The Caregiver Option Plan (SFN 165) must identify services to be received, the entity providing the service, and expected outcomes.

- Caregiver Coordinators will allocate initial respite service funding for each caregiver based on a three month prorated amount of the current service cap. The Caregiver Option Plan will be reviewed by the Caregiver Coordinator quarterly (at a minimum) to evaluate respite care usage and need for additional respite funding. Allocations for respite services will be based on each caregiver's individual needs. The Caregiver Coordinator has the discretion to allocate initial respite funding which exceeds the prorated amount based on caregiver need. The Caregiver Coordinator also has the discretion to add to the respite funding allocation more frequently than quarterly based on caregiver need. The Caregiver Option Plan will not exceed the respite service cap established for the service period.
- A copy of the Caregiver Option Plan must be mailed to the caregiver after each review date.
- The effective date on the Caregiver Option Plan (SFN 165) will not exceed 12 months.
- The Caregiver Coordinator may terminate the Caregiver Option Plan (SFN 165) if the caregiver has not accessed services within a review period (at a minimum of quarterly). The termination will be issued in writing with the use of the Notice of Service Denial, Closure or Termination (SFN 331).
- Caregiver Coordinators must monitor the Caregiver Option Plan (SFN 165) to assure caregiver goals and outcomes have been met. New Caregiver Option Plans (SFN 165) must be completed when the effective date expires. Renewal of the Caregiver Option Plan (SFN 165) may be completed on site or by making phone contact and acquiring signatures via the mail. Caregivers must receive a minimum of four contacts per year with the Caregiver Coordinator.

6. Individual Caregiver Counseling.
    - Identify and arrange for payment for qualified professionals to complete up to 4 sessions of individual

or family counseling of eligible caregivers. If it can be demonstrated that the caregiver has an extraordinary need for additional counseling beyond the 4 sessions, a written request must be submitted to the Program Administrator. A one-time extension of the minimum 4 sessions will be considered on a case-by-case basis. Caregivers who require on-going counseling will be referred as needed. A qualified professional includes a psychologist, licensed social worker, and counselors as defined by North Dakota Century Code. Caregiver Coordinators will locate resources/individuals in the community that provide counseling in the following areas:

- Caregiver Stress and Coping
- End of Life Issues / Grief Counseling
- Family Relations / Dynamics
- Substance Abuse
- Decision Making and Problem Solving

- Rates for qualified professionals to provide caregiver-counseling services shall not exceed the current Human Service Center statewide rate for individual or family therapy.

7. Community & Program Development.
    - Facilitate development/maintenance of caregiver support groups.
    - Create/maintain working partnerships with other agencies and organizations that provide services to support caregivers. Reimbursement may be provided for start up costs for support groups that have a caregiver component for a period of up to 6 months. The goal is to encourage each group to become self- sustaining. Educational materials may be provided as needed.
    - Be a resource for caregiving issues in the community.
    - Provide leadership relative to caregiver issues on behalf of eligible caregivers.

8. Individualized Caregiver Training.
    - Identify and arrange payment for qualified professionals to complete individualized caregiver training that meets the needs of the eligible caregiver. Caregiver Coordinators will locate qualified professionals that may include but not be limited to nurses, occupational therapists, physical therapists, and dietitians. Whenever possible the training should be held in the home where care is being provided.
    - Individualized caregiver training rates for qualified professionals / agencies shall not exceed the maximum Medicaid rate for that service (as established by DHS Medical Services Division). Rates for training needs that are not a covered service under Medicaid shall be negotiated by the Caregiver Coordinator with program approval from Aging Services Division.
    - Training may include but not be limited to the following areas:
        - Generally accepted practices of personal care task and personal care endorsements
        - Assistive technology
        - Planning for long term care needs
        - Health and nutrition counseling
        - Behavior management
        - Financial literacy
    - Identify and refer eligible caregivers to the Older Americans Act legal services contract entity to explore the need for a health care directive for the older individual for whom care is provided. The NDFCSP care recipient completing the health care directive must be 60 and older. The caregiver and care recipient must agree to complete education about the rights and responsibilities of completing a health care directive and acting as an agent.
    - Individualized caregiver training rates for qualified professionals to complete a health care directive and

educate the caregiver and the care recipient may not exceed $250.

- For the provision of the department approved caregiver dementia trainings, the caregiver coordinator will schedule training sessions with the department approved provider. The trainings should be limited to caregivers enrolled in the FCSP and at least one of their providers.

9. Respite Care.
    - Identify and arrange for payment of a qualified respite care provider for the relief of the primary caregiver. A qualified respite care provider may include an individual, registered nurse, licensed practical nurse, certified nurse assistant who is enrolled as a respite care qualified service provider (QSP) with the Department of Human Services or an adult/child day care facility, long term care facility, or a qualified family member who is related to the individual receiving care. Biological, adoptive parents and stepparents are not eligible to receive NDFCSP respite care payments when caring for their own biological, adopted or stepchildren. Qualified respite providers who choose to provide enhanced Alzheimer's and related dementia respite must also have completed the caregiver dementia training approved by the Department of Human Services.
    - Respite care that will be provided in the home of a qualified service provider (QSP) cannot be authorized until the Caregiver Coordinator has made a visit to the home and completed a Respite Home Evaluation (SFN 549) with the QSP. QSP's that are providing services to a relative and meet the definition of a qualified family member and licensed Adult Family Foster Care providers are not required to complete a home evaluation.
    - Respite Home Evaluations (SFN 549) are valid for no longer than 24 months from the date of issuance or the date of expiration of the provider's status as a qualified service provider (QSP), whichever comes first. The QSP expiration date can be obtained from Aging Services Division. A copy of the evaluation form must be provided

to the QSP and the original should be maintained in the provider's file.

- Individual [i.e. qualified family members and qualified service provider (QSP)] rates for respite care services shall not exceed the current initial QSP maximum rate. A qualified family member is: the spouse or one of the following relatives, or the current or former spouse of one of the following relatives, of the elderly or disabled person: parent, grandparent, adult child, adult sibling, adult grandchild, adult niece, or adult nephew. (Current or former spouse refers to in-law relationships.)
- Agency unit respite rates shall not exceed the current maximum rate for the service under Medicaid.
- Payment for overnight/24-hour, in-home respite provided by an enrolled QSP, qualified family member or agency shall not exceed the current hospital swing bed rate. Payment for one day of respite care cannot exceed the current hospital swing bed rate whether or not the person received overnight care.
- Overnight / 24 hour respite care provided in a hospital swing bed or long-term care facility shall not exceed the current swing bed rate.
- Overnight respite care services for eligible grandchildren may be provided in a licensed child foster care home. Approval from the local county social service case manager working with the child foster care home must be obtained prior to making arrangements for respite services.
- A caregiver is eligible to receive funding for respite services if they are providing 24-hour care and the care recipient has two or more activities of daily living (ADL) limitations or a cognitive impairment which makes it unsafe for them to be left alone.
- A caregiver who does not live with the care recipient but is providing care and assistance to the care recipient on a daily basis, does not meet the eligibility requirements to receive routine respite care services from the

program. Payment for respite care services could be considered should the caregiver have need of extended time away from the care recipient (based on care recipient's specific needs). Eligibility must be based on the coordinator's assessment insuring the care recipient meets all other program eligibility and services provided by the caregiver enables the care recipient to remain in the community.

- Authorization or use of respite services for time while the caregiver is at work is prohibited.
- Caregivers cannot receive NDFCSP services if they or the person they are caring for are receiving state, federal, or county funded services available through existing Home and Community Based Services programs. The exception would be if the caregiver or care recipient is only receiving Homemaker Services and all other eligibility criteria have been met.
- Primary caregivers who are being paid by private arrangement to provide care are not eligible to receive NDFCSP respite services.
- Respite care for caregivers who qualify for NDFCSP respite care services and pay privately for respite service or who receive respite from a source other than federal, state or county funded programs; i.e. Hospice, Veteran's Services, etc, may receive additional respite through the NDFCSP if there is a documented need for additional services based on the caregiver assessment. The amount of additional respite care authorized should be carefully considered and should coincide with the program purpose of respite care that is occasional and intermittent.
- Caregivers who are caring for an individual with Alzheimer's Disease or a related dementia are eligible to receive enhanced respite funding. The caregiver and at least one of their respite care providers will be required to attend the caregiver dementia training approved by the Department of Human Services.

- Service available to a primary caregiver cannot exceed the service cap of $3040 of respite care service in a twelve-month period unless Aging Services Division has approved the increased allocation. If the caregiver is caring for a person with Alzheimer's disease or a related dementia, and both the caregiver and at least one of their respite providers have successfully completed the approved caregiver dementia training, then the service cap cannot exceed $3640. The $3040 or $3640 service cap must be prorated ($3040/12 = $253 or $3640/12 = $303) for the number of months the Caregiver Option Plan is in effect. A 3-month plan cannot exceed $253 x 3 = $759 or $303 x 3 = $909. A prorated allocation may exceed the prorated cap if the caregiver's need has been established, is documented in the caregiver's record and does not exceed the twelve-month service cap.
- Services available to a primary caregiver may exceed the service cap of $3040 per year if it can be demonstrated that the caregiver has an extraordinary need that significantly increases the caregiver's responsibilities and not providing the additional respite may place the care recipient at imminent risk of institutional placement. A written request to exceed the $3040 service cap must be sent to the Aging Services Division FCSP Program Administrator for approval. Approval will be determined on a case-by-case basis and may be limited to a one-time allocation. Individuals who receive Alzheimer's disease or related dementia enhanced respite service funding are not eligible to receive an additional respite allocation beyond the service cap of $3640.

10. Supplemental Services.
    - Identify and arrange for up to $300 per household per twelve-month enrollment period in reimbursement for assistive devices not covered by the Aging Services Assistive Devices contract and incontinent supplies. Consideration will be given to a one-time additional allocation of $200 for supplemental services if it can be

demonstrated the caregiver has an extraordinary need. Additional allocation requests must be submitted in writing to the Program Administrator and approvals shall be determined on a case-by-case basis.

- Assistive safety devices include adaptive and preventive health aids that will assist individuals and/or their caregivers in their activities of safe daily living. Nutritional supplements are not covered under Supplemental Services.
- Incontinent supplies include pads, diapers, and other protection products.
- Caregivers who receive services through other county, state or federal funded services are not eligible to receive FCSP Supplemental Services.

Staffing Requirements 650-25-30-15

(Revised 1/1/06 ML#2995)

View Archives

Caregiver Coordinator minimum qualifications include:

- Licensure as a social worker by the North Dakota Board of Social Work Examiners (NDCC 43-41) or licensure as a Registered Nurse as stated in the Nurse Practices Act (NDCC 43-12.1) or an individual who at a minimum meets the qualifications of the Activity Therapist II class description.
- Professional experience in providing social model case management.
- Experience in community development and networking.
- Effective verbal and writing skills.
- Willingness to travel as needed to fulfill job responsibilities.
- Completion of a training curriculum identified and provided by Aging Services Division.

Prohibited Activities 650-25-30-20

(Revised 7/1/10 ML#3222)

View Archives

1. Duplication of services.
2. Breach of confidentiality.
3. Provision of caregiver services to a caregiver who is caring for an older individual who resides in an institutional setting.
4. Use of Older Americans Act funds to provide caregiver services to a caregiver, who does not meet the definition of a grandparent, who is providing support to an individual between the ages of 19 and 59 regardless of disability or cognitive status.
5. Provision of NDFCSP respite or supplemental services to individual caregivers who are receiving services as part of a public program or being paid by private arrangement to provide care.
6. Provision of FCSP services to a caregiver who resides with the care recipient in an assisted living facility.
7. Provision of FCSP services to a caregiver while they or the care recipient are in the process of applying for a public pay program or services.
8. Provision of FCSP services to a caregiver and/or recipient who has been determined eligible to receive services as part of a public pay program but chooses not to access those services.
9. Provision of FCSP services to a caregiver or care recipient who has private health care insurance coverage of home care services.

Qualified Service Provider Complaints
650-25-30-25

(Revised 8/1/09 ML#3186)

View Archives

A complaint against a qualified service provider, family or agency FCSP provider may be made to the Human Service Center or to the Aging Services Division of the North Dakota Department of Human Services. A recipient of FCSP services or a friend, family member, guardian, legal representative or neighbor of the recipient or any other interested/anonymous party may file a complaint.

When a complaint is received about a FCSP service provider follow these steps:

1. Ask for the name of the person who is making the complaint, the name of the recipient and the name of the qualified service provider, family or agency provider. Ask for a complete description of the problem or complaint. Report suspected physical abuse or criminal activity to law enforcement.
2. If there are reasonable grounds to believe that the recipient's health or safety is at immediate risk of harm, the Caregiver Coordinator and if deemed appropriate the designated Vulnerable Adult Service worker will make a home visit to further assess the situation and take necessary action.
3. If there is no immediate risk but a problem exists, the Caregiver Coordinator will work with the client and other interested parties to resolve the complaint.
4. Report the complaint to the Aging Services Division FCSP Program Administrator. When applicable, Aging Services will notify the provider in writing of the changes that they must make in order to maintain their provider status or Aging Services will remove a qualified service provider, family or

agency provider from the list of approved providers if the seriousness and nature of the complaint warrant such action.

5. Complaints regarding a Qualified Service Provider enrolled with the Department of Human Services and the NDFCSP will be handled by the FCSP Program Administrator and the Home and Community Based Services Program Administrator regarding the investigation and resolution of the complaint. A qualified service provider whose enrollment with the Department of Human Services is either terminated or closed will not be eligible to receive payment from the NDFCSP.

Denial and Termination of Services 650-25-30-30

(Revised 10/20/08 ML #3160)

View Archives

1. The Department through Aging Services Division must consider termination of FCSP services when continued service to the client presents an immediate threat to the health or safety of the client, the provider of the service, or others. The Caregiver Coordinator shall inform the Aging Services Division FCSP Administrator when termination of services is being considered.
2. FCSP services will be terminated when the care recipient moves into an institutional setting or the caregiver and/or recipient no longer meet the program eligibility requirements.
3. A client will be notified in writing of the reason for the termination, the right to submit a grievance, and the grievance process through the NDFCSP Notice of Service Denial, Closure or Termination (SFN 331). The SFN 331 is not required if the closure is due to the death of the caregiver or the care recipient.

Administrative Requirements 650-25-30-35

Administration 650-25-30-35-01

(Revised 8/1/09 ML#3186)

View Archives

1. Clients must be provided the opportunity to contribute to the cost of the service. Acceptable format for receipt of contributions is limited to the use of self-addressed envelopes.
2. Caregiver Coordinators must submit the FCSP time study log to Aging Services Division no later than 25 days after the end of the monthly service period.
3. SAMS client data records, assessments, and service delivery for both individual clients and consumer groups must be completed no later than 25 days after the end of the monthly service period.
4. Caregiver Coordinators must maintain a spreadsheet that contains the name of each participant, the amount of the service allocation, and the monthly expenditures during each service period. Caregiver Coordinators shall submit a copy of the FCSP expense spreadsheets to the Program Administrator no later than 15 days after the end of the monthly service period.
5. Payment for services provided by eligible providers must be completed in accordance with Human Service Center procedures and processed no later than 15 days after the end of the monthly service period. Final payments shall be processed no later than 30 days after the end of the annual service period.
6. Provider service logs received for services provided later than 30 days after the end of the annual service period must be discussed with the Aging Services Division FCSP Administrator prior to payment.

Legal Requirements 650-25-30-35-05

(Revised 1/1/07 ML#3061)

View Archives

1. Comply with all applicable federal and state laws, rules and regulations, and policies and procedures governing Older Americans Act programs
2. The North Dakota Family Caregiver Support Program (NDFCSP) shall apply the Department of Human Services rules, policies, and procedures regarding competency requirements for qualified service providers and termination of qualified service provider status to the NDFCSP respite care providers.
3. The North Dakota Family Caregiver Support Program (NDFCSP) shall apply the Department of Human Services rules, policies, and procedures regarding denial and termination of Service Payments to the Elderly and Disabled (SPED) and Medicaid Waiver services to the NDFCSP services.
4. The North Dakota Family Caregiver Support Program (NDFCSP) shall apply the Department of Human Services rules, policies, and procedures regarding recovery of funds from providers upon establishment of noncompliance.

Health Maintenance Service Standard 650-25-35

(Revised 8/1/09 ML#3186)

View Archives

Health maintenance is a combination of services provided in an effort to determine and maintain the health and well being of clients. Priority for services shall be given to:

- older individuals residing in rural areas;
- older individuals with greatest economic need (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas);
- older individuals with greatest social need (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas);
- older individuals with severe disabilities;
- older individuals with limited English proficiency;
- older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction and the caretakers of such individuals; and
- older individuals at risk for institutional placement.

Performance Standards 650-25-35-01

Eligible Clients 650-25-35-01-01

(Revised 1/1/06 ML#2995)

View Archives

Individuals age 60 years and older.

Location of Services 650-25-35-01-05

(Revised 1/1/06 ML#2995)

View Archives

1. At a senior center or other community facility, that has the following characteristics:
   a. Meets federal, state, and local fire safety and sanitation codes/standards.
   b. Accessible for individuals with disabilities.
   c. Makes provision for a private area used to conduct health services.
   d. Makes provision for a reception area/waiting area with adequate furniture to comfortably seat waiting clients.
2. In the client's home if homebound.

Delivery Characteristics 650-25-35-01-10

(Revised 8/1/09 ML#3186)

View Archives

1. The SAMS Health Maintenance Assessment form was designed to assist the health care professional to determine the need for health maintenance services. Only trained health care professionals (as outlined in Section 650-25-35-15 Staffing Requirements) may conduct health maintenance assessments. At a minimum, the NAPIS data (Sections I. General Information and Section II. Demographics) of the SAMS Health Maintenance Assessment form must be completed and entered in the SAMS web-based reporting system, as the data is required for federal reporting purposes. The health care professional may elect to assess a client using the entity's own assessment forms or use the SAMS Health Maintenance Assessment form to complete the assessment process. Documentation (in the Narrative section of the SAMS Health Maintenance Assessment form) should indicate if the contract entity is using their form to assess a client. If a client could benefit from nutrition or other support services, a referral should be made to an Older Americans Act Outreach Services contract entity.
2. Records must be maintained for each client and include at a minimum the following information: date of service; follow-up provided; education and information provided client; and other contact with client and/or his/her physician. Contract entities may choose to document each contact in a provider specific client record or in the Narrative Section of the web-based SAMS Health Maintenance Assessment form. Each record must be maintained in an individualized file and secured in a locked file cabinet, locked area, or a restricted computer program.
3. Written reports and referrals to client's physician or appropriate agency may be made when indicated by services

provided and where appropriate, after the written consent of the client is obtained.

4. Information and education must be provided to each client in conjunction with the health service provided.
5. Payment will be made for the following service procedures: blood pressure/pulse/rapid inspection, foot care, home visit, and medication set-up. Foot care must be available a minimum of once per month within each county in the service area.
6. Screening clinics must be held throughout the contract period in accordance with the Contract.
7. Any alteration in the pattern of service delivery must be discussed with the Regional Aging Services Program Administrator prior to the change. All service delivery options should be considered/explored.

   After discussions have been held and an alternative plan has been agreed upon, the contract entity must complete and submit a revised Service Provision Form as outlined in Section 650-25-75-05-05 of the this service chapter.

Billable Unit of Service 650-25-35-05

(Revised 1/1/07 ML#3061)

View Archives

For billing purposes, the contract entity must use the service billing unit system for each service procedure identified in the Service Delivery Procedures Section of this Standard.

Each billable unit of service received by a client must be recorded in the client's individual record in the web-based SAMS system on a monthly basis.

Service Delivery Procedures 650-25-35-10

(Revised 8/1/09 ML#3186)

View Archives

The following service delivery procedures must be followed for reimbursement through an Older Americans Act contract:

1. Blood Pressure/Pulse/Rapid Inspection – 1 Unit of Service
   a. Preparation for client.
      - Open and/or review client record.
   b. Data gathering.
      - Individual medical and health history.
      - Family history.
      - Review medications and dietary pattern.
   c. Client education.
      - Explain procedure.
   d. Screening procedure.
      - Nursing assessment.
      - Blood pressure measurement.
      - Pulse.
      - Weight.
      - Height (initial and yearly).
   e. Client counseling.
      - Explain test results and implications.
      - Instruction regarding preventive health measures, i.e. diet and lifestyle.
   f. Correspondence/referral/follow-up/phone calls.
   g. Documentation/recording.

2. Foot Care – 7 Units of Service
    a. Preparation for client.
        - Open and/or review client record.
    b. Data gathering.
        - Individual medical and health history.
        - Family history.
        - Review medications and dietary pattern.
    c. Client education.
        - Explain procedure and risk.
    d. Procedure.
        - Prepare equipment using established sanitizing procedures.
        - Provide foot and nail care.
    e. Client counseling
        - Instruction regarding preventive health measures, i.e. diet and lifestyle.
    f. Correspondence/referral/follow-up/phone calls.
    g. Documentation/recording.
3. Home Visit – 6 Units of Service
    a. Prepare and assemble equipment and materials needed for client contact.
    b. Review client's chart/record.
    c. Refer to specific screening for number of service units that apply to service(s) provided.
    d. Clean and replace equipment.
    e. Correspondence/referral/follow-up/phone calls.
    f. Documentation/recording.
4. Medication Set Up – 4 Units of Service
    a. Preparation for client.
        - Open and/or review client record.

b. Data gathering.
    - Individual medical and health history.
    - Review medications and dietary pattern.

c. Client education.
    - Explain procedure.

d. Procedure.
    - Prepare equipment
    - Set up medications in container.
    - Assess need for refill/reorder of medications.

e. Client counseling.
    - Review purpose and function of medications.
    - Assess compliance to medication regimen.

f. Correspondence/referral/follow-up/phone calls.

g. Documentation/recording.

Staffing Requirements 650-25-35-15

(Revised 8/1/09 ML#3186)

View Archives

1. A nurse supervisor who is a registered nurse, with a minimum of two years of nursing experience preferred, shall direct/coordinate the services and provides nursing supervision to all other health care personnel.
2. The person performing the health service shall be appropriately trained, licensed, and certified.

Prohibited Activities 650-25-35-20

(Revised 1/1/06 ML#2995)

View Archives

1. Provision of medical diagnosis and/or treatment without appropriate licensure and certification.
2. Provision of nursing services unless the services are supervised by a registered nurse, as regulated by the Nurse Practice Act.

Administrative Requirements 650-25-35-25

Administration 650-25-35-25-01

(Revised 1/1/08 ML#3121)

View Archives

1. Develop and adhere to a written program manual of policies and procedures to include, at a minimum, the following:
   a. Defined service area.
   b. Targeting methods for the following: older individuals residing in rural areas; older individuals with greatest economic need (with particular attention to low income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas); older individuals with greatest social need, (with particular attention to low income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas); older individuals with severe disabilities; older individuals with limited English proficiency; older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction and the caretakers of such individuals; and older individuals at risk for institutional placement.
   c. Frequency, method, and timeframe for delivery of services as appropriate.
   d. Service options are accessible to all eligible clients, independent, semi-independent, and totally dependent, regardless of income levels.
   e. Procedures to assure the confidentiality of client specific information.
      i. No information about a client is disclosed by the contract entity unless informed consent is

received from the client or legal representative; disclosure is required by court order; or for program monitoring by authorized agencies.

ii. An appropriate release of information document is signed and on file before client records are released.

iii. All client specific information is maintained in a locked file, locked area or access coded computer program.

f. Service contribution (program income) procedures that assure:

i. Clients are provided the opportunity to contribute to the cost of services received. Acceptable formats for receiving contributions include the following: a locked box in a private area; sealed envelope with on-site deposit in a locked box in a private area or return by mail. Any form of periodic correspondence resembling a billing for number of services received by a client is prohibited.

ii. No client is denied service due to inability or unwillingness to contribute.

iii. A suggested contribution schedule that considers the income ranges of older individuals may be developed. Means tests shall not be used for any service supported by Older Americans Act funds.

iv. Each service provider must choose to do one of the following: 1) Publicly display at service locations and provide to clients served at home, the full cost of the health service, with information indicating that clients may, but are not required to contribute for the health service; or 2) Publicly display at service locations and provide to clients served at home, the full cost of the health service and

the suggested contribution, with information indicating that clients may, but are not required to contribute for the health service.

v. Measures are taken to protect the privacy of each client with respect to his or her contribution.

vi. Appropriate procedures are established to safeguard and account for all contributions. At a minimum, the following must be addressed: format used for receipt of funds, procedure for deposits, verification of receipt of funds, location of funds prior to deposit, and program staff who have access to the funds.

vii. Service contributions for health services are used to expand health services.

g. Fiscal procedures that address receipt of Older Americans Act and related funds; deposit of funds, and payment process.

h. Procedures to assure service delivery in weather-related emergencies.

i. Procedures to assure the provision of information and referral services.

j. Non-discrimination towards clients.

k. Grievance procedures for clients.

l. Referral Process.

m. Records retention.

n. A plan to review and update manual as necessary but at least 90 days after the beginning of each contract period.

2. Provide or make available training to volunteers and paid personnel concerning the provision of services to older individuals. At a minimum, paid personnel/volunteers must receive training on the following: overview of the Older Americans Act, service contributions, review of applicable service standards or service requirements and necessary

training to deliver the specific service, confidentiality, and fire safety.

3. Use of volunteers in the provision of services, as applicable. (Volunteer hours and the estimated cost must be reported on the Monthly Data and Payment Report.

Legal Requirements 650-25-35-25-05

(Revised 1/1/06 ML#2995)

View Archives

1. Comply with all applicable federal and state laws, rules and regulations, and policies and procedures governing Older Americans Act programs.
2. Provide insurance as required in the Contract.

Planning/Evaluation Requirements
650-25-35-25-10

(Revised 1/1/06 ML#2995)

View Archives

1. Assess/reassess needs of older individuals in the defined service area.
2. Coordinate services within the community to avoid duplication.
3. Evaluate overall program to determine whether or not services were delivered; at what cost; and to what extent goals/objectives were met.
4. Conduct service evaluations with provision for client input; develop and maintain a report of the findings for utilization in planning.
5. Use information to implement, continue, expand or end a particular service or activity.

Advocacy Requirements 650-25-35-25-15

(Revised 1/1/06 ML#2995)

View Archives

1. Provide leadership relative to aging issues on behalf of all older persons in the defined service area.
2. Evaluate and comment on local regulations and policies that affect older persons.
3. Maintain records that document advocacy efforts and outcomes.

Legal Assistance Program Service Standard 650-25-40

(Revised 8/1/09 ML #3186)

View Archives

Legal assistance is legal advice and representation provided by an attorney to older individuals with economic or social needs and includes to the extent feasible, counseling or other appropriate assistance by a paralegal or law student under the direct supervision of an attorney; and counseling or representation by a non-lawyer where permitted by law. Priority for services shall be given to:

- older individuals residing in rural areas;
- older individuals with greatest economic need (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas);
- older individuals with greatest social need (with particular attention to low-income older individuals, including low-income minority, older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas);
- older individuals with severe disabilities;
- older individuals with limited English proficiency;
- older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction (and the caretakers of such individuals); and
- older individuals at risk for institutional placement.

Performance Standards 650-25-40-01

Eligible Clients 650-25-40-01-01

(Revised 1/1/06 ML#2995)

View Archives

Individuals age 60 and older.

Location of Services 650-25-40-01-05

(Revised 1/1/06 ML#2995)

View Archives

Services must be provided throughout the state.

Delivery Characteristics 650-25-40-01-10

(Revised 10/20/08 ML#3160)

View Archives

1. Provide legal casework within the following categories:
   a. Abuse
   b. Age Discrimination
   c. Guardianship Defense
   d. Health Care
   e. Housing
   f. Income
   g. Long-Term Care
      i. Nursing Home, Basic Care, Swing Bed and Assisted Living Transfer and Discharge casework including payment issues.
      ii. Selected Nursing Home Bill of Rights casework primarily related to admissions and discharges, and least restricted alternatives for clients who want to leave a facility.
   h. Neglect
   i. Nutrition
   j. Protective Services
      i. Advanced Health Care Directives casework .
      ii. Advanced Health Care Directives public education presentations.
      iii. Upon directive from Aging Services Division, protective guardianship services.
   k. Utilities
2. Provide a toll free telephone line that has live coverage during the core hours/days of 8:00 am to 5:00 pm (CT)

Monday through Friday. Inquiries must be answered within one working day.

3. Attempt to involve the private bar in legal assistance activities, including groups within the private bar furnishing services to older individuals on a pro bono and reduced fee basis.
4. Coordinate service provision with Legal Services Corporation.

Billable Unit of Service 650-25-40-05

(Revised 10/20/08 ML#3160)

View Archives

For billing purposes, a unit of legal casework is equivalent to 15 minutes.

Staffing Requirements 650-25-40-06

(Revised 10/20/08 ML#3160)

View Archives

Legal assistance must be provided by:

1. An attorney licensed to provide services in the State of North Dakota; or
2. A paralegal or law student under the direct supervision of an attorney licensed to provide services in the State of North Dakota.

Administrative Requirements 650-25-40-10

Administration 650-25-40-10-01

(Revised 1/1/08 ML#3121)

View Archives

1. Develop and adhere to a written program manual of policies and procedures to include, at a minimum, the following:
   a. Defined service area.
   b. Targeting methods for the following: older individuals residing in rural areas; older individuals with greatest economic need (with particular attention to low income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas); older individuals with greatest social need, (with particular attention to low income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas); older individuals with severe disabilities; older individuals with limited English proficiency; older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction and the caretakers of such individuals; and older individuals at risk for institutional placement.
   c. Service options are accessible to all eligible clients, independent, semi-independent, and totally dependent, regardless of income levels.
   d. Procedures to assure the confidentiality of client specific information.
      i. No information about a client is disclosed by the contract entity unless informed consent is received from the client or legal representative;

disclosure is required by court order; or for program monitoring by authorized agencies.

ii. An appropriate release of information document is signed and on file before client records are released.

iii. All client specific information is maintained in a locked file, locked area of access coded computer program.

e. Service contribution (program income) procedures that assure:

i. Clients are provided the opportunity to contribute to the cost of services received. Acceptable formats for receiving contributions include the following: a locked box in a private area; sealed envelope with on-site deposit in a locked box in a private area or return by mail. Any form of periodic correspondence resembling a billing for number of services received by a client is prohibited.

ii. No client is denied service due to inability or unwillingness to contribute.

iii. A suggested contribution schedule that considers the income ranges of older individuals may be developed. Means tests shall not be used for any service supported by Older Americans Act funds.

iv. Each service provider must choose to do one of the following: 1) Publicly display at service locations and provide to clients served at home, the full cost of the legal service, with information indicating that clients may, but are not required to contribute for the legal service; or 2) Publicly display at service locations and provide to clients served at home, the full cost of the legal service and the suggested contribution, with information indicating that clients may, but are not required to contribute for the legal service.

v. Measures are taken to protect the privacy of each client with respect to his or her contribution.

vi. Appropriate procedures are established to safeguard and account for all contributions. At a minimum, the following must be addressed: format used for receipt of funds, procedure for deposits, verification of receipt of funds, location of funds prior to deposit, and program staff who have access to funds.

vii. Service contributions for legal services are to used expand legal services.

f. Fiscal procedures that address receipt of Older Americans Act and related funds, deposit of funds, and payment process.

g. Procedures to address the provision of legal services if a conflict of interest exists.

h. Non-discrimination towards clients.

i. Grievance procedures for clients.

j. Records retention.

k. A plan to review and update manual as necessary but at least 90 days after the beginning of each contract period.

Legal Requirements 650-25-40-10-05

(Revised 1/1/06 ML#2995)

View Archives

1. Comply with all applicable federal and state laws, rules and regulations, and policies and procedures governing Older Americans Act programs.
2. Provide insurance as required in the Contract.

Planning/Evaluation Requirements
650-25-40-10-10

(Revised 1/1/06 ML#2995)

View Archives

1. Coordinate services within the community to avoid duplication.
2. Evaluate overall program to determine whether or not services were delivered, at what cost, and to what extent goals/objectives were met.

Advocacy Requirements 650-25-40-10-15

(Revised 1/1/06 ML#2995)

View Archives

1. Provide leadership relative to aging issues on behalf of all older persons in the defined service area.
2. Evaluate and comment on local regulations and policies that affect older persons.
3. Maintain records that document advocacy efforts and outcomes.

Nutrition Program Service Standard 650-25-45

(Revised 8/1/09 ML#3186)

View Archives

The purposes of nutrition services are:

1. To reduce hunger and food insecurity;
2. To promote socialization of older individuals; and
3. To promote the health and well being of older individuals in assisting such individuals to gain access to nutrition and other disease prevention and health promotion services to delay the onset of adverse health conditions resulting from poor nutritional health or sedentary behavior.

Nutrition services include congregate and home-delivered meals, nutrition screening, nutrition education, nutrition counseling, and provide a link to other social and supportive services. Priority for services shall be given to:

- older individuals residing in rural areas;
- older individuals with greatest economic need (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas);
- older individuals with greatest social need (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, older individuals residing in rural areas);
- older individuals with severe disabilities;
- older individuals with limited English proficiency;
- older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction and the caretakers of such individuals; and
- older individuals at risk for institutional placement.

Performance Standards 650-25-45-01

Eligible Clients 650-25-45-01-01

(Revised 1/1/08 ML#3121)

View Archives

1. Individuals age 60 and older and their spouses, regardless of age. Individuals under age 60 (except for spouses) may receive service only when it will not deprive an eligible client the opportunity to receive services. Individuals under age 60 must pay the full cost of service unless one of the criteria listed below (2, 3, or 4) is met.
2. Volunteers under age 60 providing meal services during meal hours. The contract entity may make a meal available if a specific criterion is included in the entity's Program Policies and Procedures Manual.
3. Individuals with disabilities under age 60. The contract entity may make a meal available to individuals with disabilities under age 60 who reside in a housing facility primarily occupied by older individuals where there is a Title III congregate meal site if specific congregate meal sites are identified in the entity's Program Policies and Procedures Manual.
4. Individuals under the age of 60 with disabilities residing with eligible clients. The contract entity may make a meal available to an individual with a disability who resides at home with an eligible individual if specific criteria are included in the entity's Program Policies and Procedure Manual.

Location of Services 650-25-45-01-05

(Revised 1/1/06 ML#2995)

View Archives

1. Congregate Meals – At a senior center or designated congregate setting (including schools and other facilities serving meals to children in order to promote intergenerational meal programs) that is in as close proximity as feasible to the majority of eligible individuals' residence with transportation furnished, where appropriate. The meal site must meet federal, state, and local fire safety and sanitation codes and standards, be accessible to individuals with disabilities, and have planned access to a telephone.
2. Home-Delivered Meals – In the homes of eligible clients.

Delivery Characteristics 650-25-45-01-10

(Revised 1/1/10 ML #3216)

View Archives

1. Contract entities must meet all applicable federal, state, and local laws and regulations regarding the safe and sanitary handling of food, equipment, supplies, and materials used in the storage, preparation, and delivery of meals and services to older persons. (Refer to the "North Dakota Requirements for Food and Beverage Establishments", North Dakota Administrative Code (NDAC) Chapter 33-33-04.)
2. Congregate and home-delivered meals may be provided as hot, cold, shelf stable, frozen, or liquid supplement.
    a. Hot Food
        i. Hot food must be served at 135 degrees Fahrenheit or higher.
        ii. Document daily monitoring of hot food temperatures for each meal site.
        iii. The hot food portion of a home-delivered meal must be packaged at 135 degrees Fahrenheit or higher and delivered within a two-hour time frame unless packaged and stored in a manner that will maintain the food temperature throughout the route (i.e. a plug-in-heating unit).
    b. Cold Food
        i. Cold food must be served at 41 degrees Fahrenheit or less.
        ii. Document daily monitoring of cold food temperatures for each meal site.
        iii. Working thermometers must be in place in all refrigerators/walk-in coolers. Refrigeration

temperatures must be maintained between 35-41 degrees Fahrenheit.

iv. Document weekly monitoring of temperatures of refrigerators/walk-in coolers.

v. The cold food portion of a home-delivered meal must be packaged at 41 degrees Fahrenheit or less and delivered within a two-hour time frame unless packaged and stored in a manner that will maintain the food temperature throughout the route (i.e. a plug-in cooling unit).

c. Shelf Stable

Label must include entrée selection, and the date of expiration.

d. Frozen

i. If commercially frozen meals are not used, frozen meals must be produced using rapid/blast freeze equipment and technology.

ii. Label must include entrée selection, instructions for storage and reheating, and the date of expiration. The date of the expiration should be no longer than six (6) months after the meal was rapid/blast frozen.

iii. Working thermometers must be in place in all freezers. Frozen food must be maintained at zero degrees Fahrenheit or below.

iv. Documentation of weekly monitoring of freezer temperatures must be completed.

v. The provider must assure the client has the ability to store and prepare the frozen meal.

e. Liquid Supplement

The provision of any liquid supplement must be based on a written diet order signed by a physician and should be part of a supervised nutrition intervention. Liquid supplements are generally prescribed for a short-term basis; therefore, an initial follow-up assessment must be

made within 4-6 weeks regarding continued usage. Subsequent reviews shall be made in conjunction with the completion of the Nutrition Screening Checklist (within a consecutive 12-month period for congregate meals clients; every 6 months for home-delivered meals clients). A current physician's order must be on file. Liquid supplements must be used prior to the date of expiration.

Supplements are also available in a frozen state. The contract entity must check with the manufacturer/supplier for the recommended shelf life of thawed supplements if the discard date is not indicated on the package.

3. Meals must be provided five (5) or more days per week in the defined service area. Congregate meals must be served a minimum of three (3) days per week at each congregate meal site. A minimum of (5) home-delivered meals must be made available per client per week in the client's home. Meals must be served during appropriate meal times. If a holiday falls on a regular serving day, providers have the option of serving a meal on the same day as scheduled, offering a frozen or shelf stable meal, or serving a meal on another day in that week.
4. Congregate meal service must address the following:
   a. All eligible congregate meals clients who participate or plan to participate shall be requested to provide baseline data as outlined in the web-based SAMS Congregate Meals Assessment form. The contract entity should attempt to obtain all data requested in the assessment. NAPIS data and the Nutrition Screening Checklist are required for federal reporting purposes. Contacts may be documented in the Narrative section of the SAMS Congregate Meal Assessment form, as appropriate. The Nutrition Screening Checklist must be reviewed and updated in the web-based SAMS system within a consecutive 12-month period for congregate meals clients.

b. Clients who request service may be required to sign up in advance of the date the service is desired per the contract entity's Program Policies and Procedures Manual.

c. Copies of the menu, and voluntary contribution information must be publicly displayed at all congregate meal sites.

d. Adaptive equipment to meet special needs must be available.

e. Food not requiring refrigeration may be taken home by participants.

f. For safety reasons, a provider may choose to deliver a meal to a congregate client during inclement weather. The contract entity should include this in their written program policies and procedures manual under 'procedures to assure service delivery in weather-related emergencies' [Reference: Section 650-25-45-30-01(1)(h) of this service chapter].

If a provider chooses to deliver a meal to a congregate client during inclement weather, the meal should be recorded in the SAMS service delivery as a congregate meal.

5. Home-delivered meals criteria include:

a. Client must be homebound and unable to prepare meals because of physical incapacity, mental or social conditions, or isolation. A person is considered homebound when one or more of the following exist:

- Limited physical mobility;
- Emotional or psychological impairments that prohibit participation at a congregate site; or
- Remote geographic location that prohibits transporting the client to and from a congregate site.

b. Eligibility for home-delivered meals must be determined by the Older Americans Act Outreach Services contract entity for the service area using the web-based SAMS Outreach/HDM Assessment form. Initial determination of eligibility may be accomplished by telephone. Within two weeks of beginning meal service, a home visit and the web-based SAMS Outreach/HDM Assessment form must be completed to verify eligibility. The Nutrition Services contract entity must be notified in writing of eligibility status and nutritional risk status (as determined by the Nutrition Screening Checklist).

   For continued home-delivered meal service, a client must be re-assessed at least every six (6) months, or sooner, as needed. The reassessment must be documented in the web-based SAMS system. The Outreach Services contract entity must notify (in writing) the Nutrition Services contract entity of continued eligibility or the need to discontinue service provision.

c. Nutrition Services contract entity must provide copies and review content of the menu, voluntary contribution information, and home-delivered meals policies and procedures with the client. The contract entity is encouraged to provide available medical information approved by health care professionals, such as informational brochures and information on how to get vaccines, including vaccines for influenza, pneumonia, and shingles, in the individuals' communities.

d. The Nutrition Services contract entity must limit the amount of time meals spend in transit before they are consumed.

6. Nutrition education must be provided to both congregate and home-delivered meals clients by the Nutrition Services contract entity. A licensed registered dietitian or person with comparable expertise shall provide input regarding the content of the nutrition education prior to presentation or distribution of materials.

a. Nutrition education shall be provided at each congregate meal site on a semi-annual basis (minimum). Nutrition related presentations, videos, food demonstrations, and cooking classes are acceptable formats for the provision of the service, all of which may be augmented with printed materials. Documentation indicating the meal site, date, presenter, topic presented, number of clients receiving nutrition education, and the number of service units must be maintained. To record Service Delivery in the SAMS system, a separate Consumer Group should be created for each meal site. Each client attending a presentation equals one unit of service.

b. Nutrition education for home-delivered clients must be carried out on a semi-annual basis (minimum). Printed materials are an acceptable format for the provision of the service. A copy of the printed nutrition education material and documentation of the date of distribution, number of clients receiving the service must be maintained. To record Service Delivery in the SAMS system, a separate Consumer Group should be created for each meal site. Each client receiving the printed material equals one unit of service.

c. Expenses for the provision of nutrition education are included in the unit cost of a congregate and home-delivered meal and are not a separate billable unit.

d. Units of service and the estimated cost must be reported on the Monthly Data & Payment Report.

7. All congregate and home-delivered meals clients must be screened for nutritional risk using the Nutrition Screening Checklist, which is a part of the web-based SAMS Congregate Meals Assessment form and the web-based SAMS Outreach/HDM Assessment. (Screening for home-delivered meals clients will be completed by the Outreach Services contract entity as addressed in 5 b).

   a. For congregate meals clients, the screenings must be conducted a minimum of one time within a consecutive 12-month period. Clients should be encouraged to 're-check' their nutritional scores as indicated: Score of 0-2

should recheck in 6 months; score of 3-5 should recheck in 3 months; score of 6 or more are at high nutritional risk and should be referred to their physician or licensed registered dietitian to discuss nutritional concerns and ways to improve their nutritional health (see information in 7 c below).

b. Screening results for all clients must be recorded in the web-based SAMS assessment forms.

c. Clients who screen 'at high nutritional risk' shall be referred to a doctor or licensed registered dietician for follow-up and possible nutrition counseling. The Outreach Services contract entity shall notify (in writing) the Nutrition Services contract entity of home-delivered meals clients who screen 'at high nutritional risk'. The Nutrition Services contract entity shall make a referral to the licensed registered dietitian providing services to the Nutrition Services contract entity or to the client's physician. Documentation of the referral or referral attempt must be recorded in the Narrative section of the web-based SAMS assessment form.

8. Nutrition counseling for congregate and home-delivered meals clients identified at high nutritional risk through the Nutrition Screening Checklist can only be provided by a licensed registered dietitian. All nutrition counseling must be recorded as Service Delivery for each individual client in the SAMS system.

   a. For recording purposes, a unit of service is one session.

   b. Expenses for the referral/provision of nutrition counseling are not a separate billable unit.

   c. Units of service and the estimated cost must be reported on the Monthly Data & Payment Report.

9. Any alteration in the pattern of service delivery must be discussed with the Regional Aging Services Program Administrator prior to the change. All service delivery options should be considered/explored.

After discussions have been held and an alternative plan has been agreed upon, the Contract entity must complete and submit a revised Service Provision Form as outlined in Section 650-25-75-05-05 of the this service chapter.

Billable Units of Service 650-25-45-05

(Revised 1/1/07 ML#3061)

View Archives

1. For billing purposes, one congregate meal equals one unit of service.
2. For billing purposes, one home-delivered meal equals one unit of service.

Each billable unit of service received by a client must be recorded in the client's individual record in the web-based SAMS system on a monthly basis.

Menu Planning 650-25-45-10

(Revised 1/1/08 ML#3121)

View Archives

1. All meals provided must conform:
   a. Comply with the most recent Dietary Guidelines for Americans (DGs), published by the Secretary and the Secretary of Agriculture; and
   b. Provide a minimum of 33 1/3 percent of the dietary reference intakes (DRIs) established by the Food and Nutrition Board of the Institute of Medicine of the National Academy of Sciences, if the project provides one meal per day. A minimum of 66 2/3 percent of the allowances must be provided if the project provides two meals per day. If the project provides three meals per day, 100 percent of the allowances must be provided).

      The DGs describe food choices that promote good health. The DRIs help assure that nutrient needs are met.
2. Dietary reference intakes (DRIs) are quantitative estimates of nutrient intakes for use in planning and assessing healthy diets. The DRIs include several nutrient based reference value sets including:
   a. Estimated Average Requirement (EAR): "the average daily nutrient intake level estimated to meet the requirements of half the healthy individuals in a particular life stage and gender group";
   b. Recommended Dietary Allowances (RDA): "the average daily nutrient intake level sufficient to meet the nutrient requirements of nearly all (97 to 98%) healthy individuals in a particular life stage and gender group";
   c. Adequate Intake (AI): "a recommended average daily nutrient intake level based on observed or

experimentally determined approximations or estimates of nutrient intake by a group (or groups) of healthy people that are assumed to be adequate – used when RDA cannot be determined";

d. Tolerable Upper Intake Level (UL): "the highest average daily nutrient intake level that is likely to pose no risk of adverse health effects to almost all individuals in the general population. As intake increases above the UL, the potential risk of adverse effects may increase"; and

e. Acceptable Macronutrient Distribution Range (AMDR): "range of intake for a particular energy source (macronutrients include carbohydrates, proteins, fats) that is associated with reduced risk of chronic disease while providing intakes of essential nutrients. If an individual consumes in excess of the AMDR, there is a potential of increasing the risk of chronic diseases and/or insufficient intakes of essential nutrients.

3. The South Dakota Division of Adult Services and Aging developed recipes and menus that meet current DRI requirements. The menus were developed and nutritional analyses completed by Adele Huls, PhD, RD, LMNT, LN.

   The recipes and menus are posted on the South Dakota website and are available for use by North Dakota providers. The recipes and menus can be accessed at: http://dss.sd.gov/elderlyservices/services/seniormeals/menusandrecipes.asp

4. Contract entities that do not use the menus developed by the South Dakota Division of Adult Services and Aging must address the following:

   a. Develop menus that meet current DRI recommendations. North Dakota will follow guidelines used by South Dakota in the development of menus to meet current DRI requirements. Guidelines for nutrient values are listed in #5.

b. Use a cycle menu format (minimum of four weeks) that is rotated at set intervals and reflects seasonal availability of foods.

c. To the maximum extent practicable, consider the special dietary needs arising from health requirements, religious requirements, or ethnic backgrounds of eligible clients.

d. The cycle menus, recipes, and nutritional analysis must be submitted to Aging Services Division through the request for proposal process and/or upon request. The submitted materials must be signed by the contract entity's licensed registered dietitian or licensed nutritionist.

5. The following guidelines for nutrient values must be used in developing menus:

Nutrient	**Value**
Basic Components *denotes required	
*Calories (kcal)	735.00
Water	1233.30
*Protein (g) actual is 18.8 - our goal is based on 17% of calories and wt/ht/activity of reference person (75 yo male 68" 153#) Lightly Active	31.24
Carbohydrates (g) based on 53% of calories	97.40
*Dietary Fiber (g)	10.29
*Fat (g) based on 30% of calories - can be lower	24.50
Net Carbs	87.11

Vitamins	
*Vitamin A RAE	300.00
*Vitamin B-6 (mg)	0.60
*Vitamin B-12 (mcg)	0.80
*Vitamin C (mg) (or 200 IU)	5.00
Folate DFE (mcg)	133.30
Minerals	
*Calcium (mg)	400.00
*Magnesium (mg)	140.00
Iron (mg)	2.70
*Sodium (mg) goal: 800 or less in future	1000.00
Potassium (mg) goal: 1567.0 in future	1250.00
*Zinc (mg)	3.75

Contract entities should strive to meet nutrient values on a daily basis. Averaging of nutrient values over a 5-day period is allowable.

6. A meal pattern is a menu-planning tool that ensures the number/numbers of servings per food group are met at each meal. **Meal patterns do not ensure that nutrient requirements are met; therefore, computer-assisted nutrient analyses must be run** (see #5).

The following meal pattern is based on the 2005 Dietary Guidelines for Americans and the Food Guide Pyramid.

FOOD GROUP	SERVINGS PER MEAL	PORTION SIZE
Bread or Bread Alternative	2 servings	1 serving = 1/2 cup cooked pasta, rice or cereal; 1 slice of bread (1 oz.) or equivalent combinations
Vegetable	2 servings	1 serving = ½ cup or equivalent measure (may serve an additional vegetable instead of a fruit)
Fruit	1 serving	1 serving = ½ cup or equivalent measure (may serve an additional fruit instead of a vegetable)
Milk or Milk Alternative	1 serving	1 serving = 1 cup (8 oz) or equivalent measure
Meat or Meat Alternative	1 serving	1 serving = 2 oz or equivalent measure
Fats	1 serving	1 serving = 1 teaspoon or equivalent measure
Dessert	1 serving	1 serving = 1/2 cup (optional)

7. Menu changes must be documented and approved by a licensed registered dietitian or licensed nutritionist. It is recommended that a list of approved substitutions be maintained at the meal site.
8. Provision of a special or therapeutic diet to a client requires a signed physician's order. Menus must be planned with the advice of a licensed registered dietitian to establish appropriate nutritional therapy.
9. Older Americans Act nutrition providers are prohibited from providing vitamin and/or mineral supplements to clients.

Nutrition Services Incentive Program (NSIP) Funds 650-25-45-15

(Revised 1/1/06 ML#2995)

View Archives

Nutrition Services Incentive Program (NSIP) funds must be used to purchase food grown in the United States of America for meals provided during the federal fiscal year for which the funds were authorized.

Additional information regarding NSIP funds is located in Section 25-80-05. Nutrition Services Incentive Program (NSIP).

Staffing Requirements 650-25-45-20

(Revised 1/1/06 ML#2995)

View Archives

1. The contract entity must establish and administer the nutrition services program with the advice of the following:
   - Licensed registered dietitians or individuals with comparable expertise, including a licensed nutritionist, a dietary technician, or a certified dietary manager;
   - Meal participants; and
   - Individuals who are knowledgeable with regard to the needs of older individuals.

Prohibited Activities 650-25-45-25

(Revised 1/1/08 ML#3121)

View Archives

1. Unapproved substitutions that alter the DRI nutrient values/goals.
2. Utilization of home canned, home prepared, or preserved food.
3. Provision of therapeutic diets without the advice of a physician or licensed registered dietitian to establish appropriate medical nutritional therapy.

Administrative Requirements 650-25-45-30

Administration 650-25-45-30-01

(Revised 1/1/08 ML#3121)

View Archives

1. Develop and adhere to a written program manual of policies and procedures to include, at a minimum, the following:
   a. Defined service area.
   b. Targeting methods for the following: older individuals residing in rural areas; older individuals with greatest economic need (with particular attention to low income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas); older individuals with greatest social need, (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency; and older individuals residing in rural areas); older individuals with severe disabilities; older individuals with limited English proficiency; older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction (and the caretakers of such individuals); and older individuals at risk for institutional placement.
   c. Frequency, method, and timeframe for delivery of services as appropriate.
   d. Service options are accessible to all eligible clients, independent, semi-independent, and totally dependent, regardless of income levels.
   e. Procedures to assure the confidentiality of client specific information.
      i. No information about a client is disclosed by the contract entity unless informed consent is

received from the client or legal representative; disclosure is required by court order; or for program monitoring by authorized agencies.

ii. An appropriate release of information document is signed and on file before client records are released.

iii. All client specific information is maintained in a locked file, locked area of access coded computer program.

f. Service contribution (program income) procedures that assure:

i. Clients are provided the opportunity to contribute to the cost of services received. Acceptable formats for receiving contributions include the following: a locked box in a private area; sealed envelope with on-site deposit in a locked box in a private area or return by mail; and self punch meal tickets. Any form of periodic correspondence resembling a billing for number of services received by a client is prohibited.

ii. No client is denied service due to inability or unwillingness to contribute.

iii. A suggested contribution schedule that considers the income ranges of older individuals may be developed. Means tests shall not be used for any service supported by Older Americans Act funds.

iv. Each service provider must choose to do one of the following: 1) Publicly display at service locations and provide to clients served at home, the full cost of the nutrition service, with information indicating that clients may, but are not required to contribute for the nutrition service; or 2) Publicly display at service locations and provide to clients served at home, the full cost of the nutrition service and the suggested contribution, with information indicating that

clients may, but are not required to contribute for the nutrition service.

v. Measures are taken to protect the privacy of each client with respect to his or her contribution.

vi. Appropriate procedures are established to safeguard and account for all contributions. At a minimum, the following must be addressed: format used for receipt of funds, procedure for deposits, verification of receipt of funds, location of funds prior to deposit, and program staff who have access to funds.

vii. Ineligible participants are required to pay the full cost of the nutrition service.

viii. Service contributions for nutrition services are used to expand nutrition services.

ix. Service contributions for nutrition services may include food stamps.

g. Fiscal procedures that address receipt of Older Americans Act and related funds, deposit of funds, and payment process.

h. Procedures to assure service delivery in weather-related emergencies.

i. Written emergency disaster preparedness plan approved by the local governmental official(s) having responsibility for disaster planning and designate an individual who is responsible to carry out provisions of the plan.

j. Procedures to assure the provision of information and referral services.

k. Non-discrimination towards clients.

l. Grievance procedures for clients.

m. Records retention.

n. Reporting food-borne illness.

o. A plan to review and update manual as necessary but at least 90 days after the beginning of each contract period.

2. Provide or make available training to volunteers and paid personnel concerning the provision of services to older individuals. At a minimum, paid personnel/volunteers must receive training on the following: overview of the Older Americans Act, service contributions, review of applicable service standards or service requirements and necessary training to deliver the specific service, confidentiality, and fire safety.
3. Use of volunteers in the provision of services, as applicable. (Volunteer hours and the estimated cost must be reported on the Monthly Data & Payment Report.)

Legal Requirements 650-25-45-30-05

(Revised 1/1/07 ML#3061)

View Archives

1. Comply with all applicable federal and state laws, rules and regulations, and policies and procedures governing Older Americans Act programs.
2. Provide insurance as required in the Contract.

Planning/Evaluation Requirements
650-25-45-30-10

(Revised 1/1/06 ML#2995)

View Archives

1. Assess/reassess needs of older individuals in the defined service area.
2. Coordinate services within the community to avoid duplication.
3. Evaluate overall program to determine whether or not services were delivered, at what cost; and to what extent goals/objectives were met.
4. Conduct service evaluations with provision for client input; develop and maintain a report of the findings for utilization in planning.
5. Use information to implement, continue, expand, or end a particular service or activity.

Advocacy Requirements 650-25-45-30-15

(Revised 1/1/10 ML #3216)

View Archives

1. Provide leadership relative to aging issues on behalf of all older persons in the defined service area.
2. Evaluate and comment on local regulations and policies that affect older persons.
3. Maintain records that document advocacy efforts and outcomes.

Outreach Program Service Standard 650-25-50

(Revised 8/1/09 ML#3186)

View Archives

Outreach service is a personalized approach to seeking out older individuals, identifying their service needs with an emphasis on referral and linkage to available services. Priority for services must be given to:

- older individuals residing in rural areas;
- older individuals with greatest economic need (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas);
- older individuals with greatest social need (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency; older individuals residing in rural areas);
- older individuals with severe disabilities;
- older individuals with limited English proficiency;
- older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction and the caretakers of such individuals; and
- older individuals at risk for institutional placement.

Performance Standards 650-25-50-01

Eligible Clients 650-25-50-01-01

(Revised 1/1/06 ML#2995)

View Archives

Individuals 60 years of age and older.

Location of Services 650-25-50-01-05

(Revised 1/1/07 ML#3061)

View Archives

Outreach service shall originate in the client's own home. If the service originates in another location, documentation explaining why it was not possible to complete the service in the client's home must be entered in the Narrative section of the web-based SAMS Outreach/HDM Assessment form.

Delivery Characteristics 650-25-50-01-10

(Revised 8/1/09 ML#3186)

View Archives

Outreach must be delivered countywide throughout the entire service area.

1. All referrals must be contacted within two working days.
2. All contacts, including telephone calls, must be documented in the Narrative section of the web-based SAMS Outreach/HDM Assessment form. Each contact must have a stated purpose. The documentation shall include:
    - the stated purpose of the outreach contact;
    - a brief descriptive statement of the outreach interaction, including any service needs identified, alternatives explored, service delivery options offered;
    - the services accepted or refused by the client; and
    - the client's choice of provider(s).
3. The SAMS Outreach/HDM Assessment form must be completed and data entered in the SAMS web-based system to document need. The contract entity should attempt to obtain all data requested in the assessment. NAPIS data, the Nutrition Screening Checklist and ADL's/IADL's are required for federal reporting purposes. Each outreach contact must be documented in the Narrative section of the web-based SAMS Outreach/HDM Assessment form.
4. Individuals seeking services must be provided with service options within the service area. The individual has the right to make an independent choice of service providers.
5. When an individual is eligible for services, the individual or legally appointed representative must make all decisions concerning acceptance of services.

6. Each case record must be maintained in an individualized file and secured in a locked file cabinet, a locked area, or an access coded computer program.
7. A signed release of information document must be on file before information can be shared or released.
8. Any alteration in the pattern of service delivery must be discussed with the Regional Aging Services Program Administrator prior to the change. All service delivery options should be considered/explored.

   After discussions have been held and an alternative plan has been agreed upon, the contract entity must complete and submit a revised Service Provision Form as outlined in Section 650-25-75-05-05 of the this service chapter.

Billable Units of Service 650-25-50-05

(Revised 1/1/08 ML#3121)

View Archives

For billing purposes, the contract entity must use the service billing unit system for each service procedure identified in the Service Delivery Procedures Section of this Standard (650-25-50-06).

For escort/shopping assistance service activity, a unit of service for billing purposes is 15 minutes. A unit of service begins when the outreach worker leaves his/her office/home and ends upon return to the office/home. Shopping for multiple clients must be pro-rated to each client. Voice messaging, time documenting outreach interactions, training, and other administrative functions are not billable units. Expenses for these functions should be included in the unit cost.

Each billable unit of service received by a client must be recorded in the client's individual record in the web-based SAMS system on a monthly basis.

Service Delivery Procedures 650-25-50-06

(Revised 8/1/09 ML#3186)

View Archives

The following service delivery procedures must be followed for reimbursement through an Older Americans Act contract:

1. Initial Outreach Assessment – 8 Units of Service
    a. Conduct an assessment in the client's home using the SAMS Outreach/HDM Assessment form.
    b. Determine needed services including eligibility for home-delivered meals, if applicable.
    c. Discuss service options with client.
    d. Obtain release of information, if applicable.
    e. Make referral to appropriate agency.
    f. Enter assessment data in the SAMS web-based data system. Document the following in the Narrative section of the SAMS Outreach/HDM Assessment form: the stated purpose of the outreach contact; a brief descriptive statement of the outreach interaction including any identified service needs; alternatives explored; service delivery options offered; services accepted or refused by the client; and the client's choice of provider(s). If applicable, document how/why a client who is under the age of 60 is eligible to receive home-delivered meals.
    g. Notify the Nutrition Service contract entity in writing of the eligibility status for home-delivered meals and the nutritional risk status (as determined by the Nutrition Screening Checklist).
2. 30-Day Follow-up In-Home Contact – 2 Units of Service
    a. Conduct follow-up visit in the client's home.
    b. Document in the web-based Narrative section of the SAMS Outreach/HDM Assessment form the stated

purpose of the outreach contact and a brief descriptive statement of the outreach interaction, including client satisfaction with service(s).

3. Outreach Canvassing Face-to-Face Contact – 2 Units of Service
    a. Conduct canvassing contact to determine if individual is eligible for Older Americans Act services and/or other services.
    b. If applicable, make appointment to and/or complete SAMS Outreach/HMD Assessment form.
    c. If the client is ineligible or refuses services, enter available data in the web-based SAMS system and complete a narrative entry indicating purpose of contact and the basis for ineligibility or client refusal of services.
4. Outreach Reassessment (In-Home) – 4 Units of Service
    a. At a minimum, all clients receiving on-going services must be reviewed annually to reassess need. Review existing client data to assure it is correct. Reassess to determine if additional needs are identified and make referrals and linkages to appropriate services.
    b. Enter reassessment data in the SAMS web-based data system. Document the following in the Narrative section of the Assessment form: the stated purpose of the outreach contact; a brief descriptive statement of the outreach interaction including any identified service needs; alternatives explored; service delivery options offered; services accepted or refused by the client; and the client's choice of provider(s).
5. Reassessment for Continued HDM Eligibility (In-Home) – 4 Units of Service
    a. For continued receipt of home-delivered meals, the client must be reassessed every six (6) months or sooner as applicable, to assure continued eligibility. Review existing client data in the SAMS Outreach/HDM Assessment form to assure it is correct. Re-assessment must include completion of the Nutrition Screening

Checklist and ADL/IADL's. Determine if additional services are needed and make appropriate referrals.

b. Enter reassessment data in the SAMS web-based data system. Document the following in the Narrative section of the SAMS Outreach/HDM Assessment form: the stated purpose of the outreach contact; a brief descriptive statement of the outreach interaction including any identified service needs; alternatives explored; service delivery options offered; services accepted or refused by the client; and the client's choice of provider(s). If applicable, document how/why a client who is under the age of 60 is eligible to receive home-delivered meals.

c. Notify the Nutrition Services contract entity in writing, of continued eligibility for home-delivered meals or the need to discontinue service provision.

6. Initial Congregate Meal Assessment (applicable only if the outreach worker is assisting a client to complete assessment information and Nutrition Screening Checklist) – 2 Units of Service

   a. Interview client to complete assessment using the SAMS Congregate Meal Assessment form.

   b. Enter assessment data in the SAMS web-based data system. Document in the Narrative section of the SAMS Congregate Meal Assessment the stated purpose of the contact; why the client needs assistance, and a brief descriptive statement of the interaction.

   c. If additional needs are identified, schedule home visit to conduct an initial outreach assessment using Outreach/HDM assessment form.

   d. Notify the Nutrition Service contract entity in writing, of the nutritional risk status (as determined by the Nutrition Screening Checklist).

7. Annual Congregate Meal Reassessment (applicable only if the outreach worker is assisting a client to complete assessment information and Nutrition Screening Checklist) – 1 Unit of Service

a. Review/update assessment data as applicable. The Nutrition Screening Checklist must be completed within a consecutive 12-month period.

b. Enter assessment data in the SAMS web-based data system. Document in the Narrative section of the SAMS Congregate Meal Assessment the stated purpose of the contact, why the client needs assistance, and a brief descriptive statement of the interaction.

c. If additional needs are identified, schedule home visit to conduct an initial outreach assessment using Outreach/HDM assessment form.

d. Notify the Nutrition Service contract entity in writing, of the nutritional risk status (as determined by the Nutrition Screening Checklist).

8. Telephone Contact, E-mail, Text Message, or Brief Face-to-Face Visit [Outside of the Home] (respond to referral/30 day follow-up, linkage to service) – 1 Unit of Service

   a. Contact the referral entity or client via telephone, e-mail, text message, or through a brief face-to-face visit (outside of the home) regarding the referral or receipt of services.

   b. Document in the web-based Narrative section of the SAMS Outreach/HDM Assessment form the stated purpose of the outreach contact and a brief descriptive statement of the outreach interaction, including client satisfaction with service(s).

9. Escort/Shopping Assistance – see Section 650-25-50-05.

Service Activities 650-25-50-10

(Revised 1/1/07 ML#3601)

View Archives

Service activities include:

1. Identify and contact targeted older individuals in the service area.
2. Receive referrals, make home visits, identify possible service needs based on completion of SAMS Outreach/HDM Assessment form, and through observation and communication.
3. Provide information and referral service allowing the client to explore alternatives and make independent choices of both the service(s) to be received and the entity to provide the service.
4. Determine eligibility for the home-delivered meals service. Initial determination of eligibility may be accomplished by telephone. The Outreach Services contract entity must immediately notify the Nutrition Services contract entity of preliminary approval for receipt of home-delivered meals. Within two weeks of beginning meal service, a home visit and the SAMS Outreach/HDM Assessment form must be completed to verify eligibility. The Nutrition Services contract entity must be notified in writing of eligibility status and nutritional risk status (as determined by the Nutrition Screening Checklist). For continued home-delivered meal service, a client must be reassessed at least every six months or sooner, as needed. The Outreach Service contract entity must notify (in writing) the Nutrition Services contract entity of continued eligibility or the need to discontinue service provision.
5. Assist clients who are unable to self complete the Congregate Meal Assessment including the nutrition screening checklist. Document in the Narrative Section of the web-based SAMS Congregate Meal Assessment form, the stated purpose of the

outreach contact, why the client needs assistance, and a brief descriptive statement of the outreach interaction. If additional needs are identified, schedule a home visit to conduct an initial outreach assessment using the Outreach/HDM Assessment form.

6. Provide or arrange for escort/shopping assistance. Escort/shopping assistance consists of accompanying and personally assisting, or arranging for someone to accompany and personally assist, a client with physical or cognitive difficulties to obtain a service outside the home environment. The escort/shopping assistance service activity was developed as a safety net and is a service of last resort. It cannot be authorized if there is another service delivery option. When arranging for escort/shopping assistance, availability of family members, friends, and volunteer organizations, and retail businesses to provide the service must be considered and accessed when possible. Documentation must reflect these efforts.

   The escort shall accompany and assist the client in a safe and patient manner and remain with the client for the duration of the escort/shopping assistance trip. Shopping assistance is limited to shopping for groceries and other essential items. If a client is homebound, the worker may shop for allowable items. The transportation provided as a part of this service should be coordinated with the established transit service provider.
7. Identify and document unmet service needs. Contact client for follow-up (on-site or via telephone contact) within thirty days to assure identified unmet service needs have been addressed and that the client is satisfied with the service and choice of provider.
8. Adhere to the contract entity's written referral process as stated in the contract entity's Policies and Procedures Manual to coordinate service provision with other agencies.

Staffing Requirements 650-25-50-15

(Revised 1/1/08 ML#3121)

View Archives

1. Possess the ability to develop rapport with older persons.
2. Possess a valid driver's license and have access to an automobile.
3. Possess effective verbal, writing skills, and computer skills.
4. Within one month of employment, all newly hired outreach workers shall successfully complete the Aging Services Division outreach training as outlined in the Older Americans Act Outreach Handbook.
5. A minimum of ten (10) hours per year of in-service training is required for each outreach worker, relative to outreach functions. This will not be required during the first year of employment when the outreach worker is completing the Division's outreach training.
6. The contract entity shall maintain documentation verifying that the outreach worker has met and maintains staffing requirements.

Note: It is recommended that the contract entity consider employing outreach staff with a Bachelor's degree in a human service field and/or experience working with the target population.

Prohibited Activities 650-25-50-20

(Revised 1/1/07 ML#3061)

View Archives

1. Activities that are provided by another entity in the community, unless documented in the web-based Narrative section of the SAMS Outreach/HDM Assessment form that a recognized service provider has refused or is otherwise unable to render services needed.
2. Breach of confidentiality.

Administrative Requirements 650-25-50-25

Administration 650-25-50-25-01

(Revised 1/1/08 ML#3121)

View Archives

1. Develop and adhere to a written program manual of policies and procedures to include, at a minimum, the following:
   a. Defined service area.
   b. Targeting methods for the following: older individuals residing in rural areas; older individuals with greatest economic need (with particular attention to low income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas); older individuals with greatest social need, (with particular attention to low income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas); older individuals with severe disabilities; older individuals with limited English proficiency; older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction and the caretakers of such individuals; and older individuals at risk for institutional placement.
   c. Frequency, method, and timeframe for delivery of services as appropriate.
   d. Service options are accessible to all eligible clients, independent, semi-independent, and totally dependent, regardless of income levels.
   e. Procedures to assure the confidentiality of client specific information.
      i. No information about a client is disclosed by the contract entity unless informed consent is

received from the client or legal representative; disclosure is required by court order; or for program monitoring by authorized agencies.

ii. An appropriate release of information document is signed and on file before client records are released.

iii. All client specific information is maintained in a locked file, locked area or access coded computer program.

f. Service contribution (program income) procedures that assure:

i. Clients are provided the opportunity to contribute to the cost of services received. Acceptable formats for receiving contributions include the following: a sealed envelope given to the outreach worker or returned by mail. Any form of periodic correspondence resembling a billing for number of services received by a client is prohibited.

ii. No client is denied service due to inability or unwillingness to contribute.

iii. A suggested contribution schedule that considers the income ranges of older individuals may be developed. Means tests shall not be used for any service supported by Older Americans Act funds.

iv. Each service provider must choose to do one of the following: 1) Provide to clients served at home, the full cost of the outreach service, with information indicating that clients may, but are not required to contribute for the outreach service; or 2) Provide to clients served at home, the full cost of the outreach service and the suggested contribution, with information indicating that clients may, but are not required to contribute for the outreach service.

v. Measures are taken to protect the privacy of each client with respect to his or her contribution.

vi. Appropriate procedures are established to safeguard and account for all contributions. At a minimum, the following must be addressed: format used for receipt of funds, procedure for deposits, verification of receipt of funds, location of funds prior to deposit, and program staff who have access to the funds.

vii. Service contributions for outreach services are used to expand outreach services.

g. Fiscal procedures that address receipt of Older Americans Act and related funds; deposit of funds, and payment process.

h. Written emergency disaster preparedness plan approved by the local governmental official(s) having responsibility for disaster planning and designate an individual who is responsible to carry out provisions of the plan.

i. Procedures to assure the provision of information and referral services.

j. Non-discrimination towards clients.

k. Grievance procedures for clients.

l. Referral process.

m. Records retention.

n. A plan to review and update manual as necessary but at least 90 days after the beginning of each contract period.

2. Provide or make available training to paid personnel concerning the provision of services to older individuals. At a minimum, paid personnel must receive training on the following: overview of the Older Americans Act, service contributions, review of applicable service standards or service requirements and necessary training to deliver the specific service, confidentiality, and fire safety.

3. Use of volunteers in the provision of services, as applicable. (Volunteer hours and the estimated cost must be reported on the Monthly Data and Payment Report.)

Legal Requirements 650-25-50-25-05

(Revised 1/1/06 ML#2995)

View Archives

1. Comply with all applicable federal and state laws, rules and regulations, and policies and procedures governing Older Americans Act programs.
2. Provide insurance as required in the Contract.

Planning/Evaluation Requirements
650-25-50-25-10

(Revised 1/1/06 ML#2995)

View Archives

1. Assess/reassess needs of older individuals in the defined service area.
2. Coordinate services within the community to avoid duplication.
3. Evaluate overall program to determine whether or not services were delivered; at what cost; and to what extent goals/objectives were met.
4. Conduct service evaluations with provision for client input; develop and maintain a report of the findings for utilization in planning.
5. Use information to implement, continue, expand or end a particular service or activity.

Advocacy Requirements 650-25-50-25-15

(Revised 1/1/06 ML#2995)

View Archives

1. Provide leadership relative to aging issues on behalf of all older persons in the defined service area.
2. Evaluate and comment on local regulations and policies that affect older persons.
3. Maintain records that document advocacy efforts and outcomes.

Senior Companion Program Service Standard 650-25-55

(Revised 8/1/09 ML#3186)

View Archives

The senior companion service offers periodic companionship and non-medical support by volunteers (who receive a stipend) to adults with special needs. Priority for services shall be given to:

- older individuals residing in rural areas;
- older individuals with greatest economic need (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas);
- older individuals with greatest social need (with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas);
- older individuals with severe disabilities; older individuals with limited English proficiency;
- older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction and the caretakers of such individuals; and
- older individuals at risk for institutional placement.

Performance Standards 650-25-55-01

Eligible Clients - Senior Companion Volunteers 650-25-55-01-01

(Revised 1/1/10 ML #3216)

View Archives

Individuals age 60 and older who meet income requirements at 200% of poverty or below.

Eligible Clients - Recipients of the Senior Companion Service 650-25-55-01-05

(Revised 1/1/06 ML#2995)

View Archives

Individuals age 60 and older who are homebound and do not reside in a long-term care facility.

Location of Service 650-25-55-01-10

(Revised 1/1/06 ML#2995)

View Archives

Services must be provided in the recipient's home.

Delivery of Characteristics 650-25-55-01-15

(Revised 1/1/06 ML#2995)

View Archives

1. Solicit host agencies/volunteer stations that will match eligible senior companion volunteers with recipient's of the senior companion service who meet eligibility criteria.
    a. Enter into a memorandum of understanding with each host agency.
    b. Provide host agencies with orientation to the senior companion program including guidelines for client/recipient selection, development of a volunteer assignment, appropriate and inappropriate volunteer activities, and completion of a volunteer and recipient letter of agreement.
    c. Maintain monthly contact with each host agency to provide on-going support, assistance, and program maintenance.
2. Recruit and place senior companion volunteers.
    a. Select volunteers based on the federal guidelines published by the Corporation for National and Community Service.
    b. Assure that each volunteer has received a physical exam in order to serve without determent to self or those served.
    c. Assure that each volunteer is placed in a volunteer station closest to the companion's residing place.
    d. Provide each volunteer with the stipend and other program benefits.
3. Provide training for senior companion volunteers.
    a. Provide volunteers with basic pre-service orientation within three months of placement.

b. Assure that each volunteer received in-service training equivalent to 40 hours per year that covers topics that are helpful and supportive to volunteers while on assignment s well as in their personal lives.

c. Assure that the following topics are covered during the in-services: Review of Policies and Procedures from the Senior Companion Handbook, Communication Skills, Safety, and Areas of Health and Human Service Needs.

4. Provide, though senior companion volunteers, supportive person-to-person in-home (non-medical) services including personal care, social recreational activities, nutrition, home management, information and advocacy, and respite care to a minimum of 70 recipients of senior companion services.

Unit of Service 650-25-55-05

(Revised 1/1/06 ML#2995)

View Archives

For reporting purposes, a unit of service equals one visit.

Administrative Requirements 650-25-55-10

Administration 650-25-55-10-01

(Revised 1/1/08 ML#3121)

View Archives

1. Develop and adhere to a written program manual of policies and procedures to include, at a minimum, the following:
   a. Defined service area.
   b. Targeting methods for the following: older individuals residing in rural areas; older individuals with greatest economic need (with particular attention to low income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas); older individuals with greatest social need, (with particular attention to low income older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas); older individuals with severe disabilities; older individuals with limited English proficiency; older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction and the caretakers of such individuals; and older individuals at risk for institutional placement.
   c. Service options are accessible to all eligible clients, independent, semi-independent, and totally dependent, regardless of income levels.
   d. Procedures to assure the confidentiality of client specific information.
      i. No information about a client is disclosed by the contract entity unless informed consent is received from the client or legal representative; disclosure is required by court order; or for program monitoring by authorized agencies.

ii. An appropriate release of information document is signed and on file before client records are released.

iii. All client specific information is maintained in a locked file, locked area of access coded computer program.

e. Service contribution (program income) procedures that assure:

i. Clients are provided the opportunity to contribute to the cost of services received. Acceptable formats for receiving contributions include the following: sealed envelope given to senior companion volunteer or return by mail. Any form of periodic correspondence resembling a billing for number of services received by a client is prohibited.

ii. No client is denied service due to inability or unwillingness to contribute.

iii. A suggested contribution schedule that considers the income ranges of older individuals may be developed. Means tests shall not be used for any service supported by Older Americans Act funds.

iv. Each service provider must choose to do one of the following: 1) Provide to clients served at home, the full cost of the outreach service, with information indicating that clients may, but are not required to contribute for the senior companion service; or 2) Provide to clients served at home, the full cost of the senior companion service and the suggested contribution, with information indicating that clients may, but are not required to contribute for the senior companion service.

v. Appropriate procedures are established to safeguard and account for all contributions. At a minimum, the following must be addressed: format used for receipt of funds, procedure for

deposits, verification of receipt of funds, location of funds prior to deposit, and program staff who have access to funds.

vi. Measures are taken to protect the privacy of each client with respect to his or her contribution.

vii. Service contributions for senior companion services are to used expand senior companion services.

f. Fiscal procedures that address receipt of Older Americans Act and related funds, deposit of funds, and payment process.

g. Non-discrimination towards clients.

h. Grievance procedures for clients.

i. Records retention.

j. A plan to review and update manual as necessary but at least 90 days after the beginning of each contract period.

Legal Requirements 650-25-55-10-05

(Revised 1/1/06 ML#2995)

View Archives

1. Comply with all applicable federal and state laws, rules and regulations, and policies and procedures governing Older Americans Act programs.
2. Provide insurance as required in the Contract.

Planning/Evaluation Requirements
650-25-55-10-10

(Revised 1/1/06 ML#2995)

View Archives

1. Assess/reassess needs of older individuals in the defined service area.
2. Coordinate services within the community to avoid duplication.
3. Evaluate overall program to determine whether or not services were delivered, at what cost, and to what extent goals/objectives were met.
4. Conduct service evaluations with provision for client input; develop and maintain a report of the findings for utilization in planning.
5. Use information to implement, continue, expand or end a particular service or activity.

Advocacy Requirements 650-25-55-10-15

(Revised 1/1/06 ML#2995)

View Archives

1. Provide leadership relative to aging issues on behalf of all older persons in the defined service area.
2. Evaluate and comment on local regulations and policies that affect older persons.
3. Maintain records that document advocacy efforts and outcomes.

Older Americans Act Title III Assessment 650-25-65

(Revised 8/1/09 ML#3186)

View Archives

Assessments are conducted to determine the following:

- Compliance with state and federal rules, regulations and policies;
- Compliance with the terms of the contract and any attachments;
- If service provision meets or exceeds service standards and/or contract requirements, as applicable; and
- Factors that may have contributed to the achievement or lack of achievement in meeting service standards and/or contract requirements.

On-site assessments are conducted by Department staff a minimum of two times during the contract period. One of the assessments must be a year-end assessment. Department staff may conduct additional and/or more in-depth reviews based on specific circumstances and the needs of contract entities. Regional Aging Services staff may request assistance from Aging Services Division staff in conducting assessments/reviews.

An exit conference will be held at the conclusion of each on-site assessment/review to outline non-compliance issues. Contract entities must respond, in writing, to any non-compliance issues identified during the assessment process in the time frame set forth by Department staff. Follow-up will be conducted to assure appropriate action has been taken to address each non-compliance issue.

Assessments/reviews and written responses to non-compliance issues are forwarded to Aging Services Division for review and, if necessary, implementation of remedies. Failure to rectify issues of non-compliance may result in non-payment, recapture of funds, or contract termination.

Program Reporting Requirements 650-25-70

(Revised 10/20/08 ML#3160)

View Archives

Program reporting requirements will be identified in each specific contract.

SAMS 2000 Reporting 650-25-70-01

(Revised 10/20/08 ML#3160)

View Archives

SAMS 2000 is a web-based data management system used to comply with Administration on Aging reporting requirements as well as integrate data collection with other federal and state funded home and community-based services.

The *SAMS 2000 Handbook for Older Americans Act Providers* outlines step-by-step instructions for client registration, assessment, recording service delivery, and developing reports.

Instructions for completion of a SAMS assessment are outlined in the *User's Guide for Completion of Older Americans Act SAMS Assessments*.

A SAMS 2000 Agency Summary Report must be generated in the web-based SAMS system to complete information for the Monthly Data & Payment Report (SFN 269) (235 kb), also generated in the web-based SAMS system. The SAMS 2000 Agency Summary Report must be attached to the Monthly Data & Payment Report and submitted no later than thirty days after the end of the monthly service period.

In addition, a SAMS 2000 Service Progress Report must be generated in the web-based SAMS system for Health Maintenance Services and Outreach Services. The SAMS 2000 Service Progress Report must be attached to the Monthly Data & Payment Report, and submitted no later than thirty days after the end of the monthly service period.

Any additional reporting requirements will be identified in each specific contract.

Service Progress Reports/Other Reports 650-25-70-05

(Revised 1/1/06 ML#2995)

View Archives

Contract entities may be required to submit a monthly service progress report. Content of the report and timeframes for submission will be identified in each specific contract.

Any additional reporting requirements will be identified in each specific contract.

State Program Report 650-25-70-10

(Revised 1/1/07 ML#3061)

View Archives

The Administration on Aging established the National Aging Program Information System (NAPIS), which requires the State to submit an annual performance report. This reporting system includes the State Program Report (SPR). The State Program Report is generated from data elements gathered from the SAMS 2000 database.

Contract entities not using the web-based SAMS 2000 reporting system will be required to report data for the State Program Report on the form titled "State Program Report for Older Americans Act Contract Entities not using SAMS 2000." Data for the State Program Report is based on the Federal Fiscal Year (October 1 through September 30).

Inventory Listing of Federal Equipment 650-25-70-15

(Revised 1/1/06 ML#2995)

View Archives

Upon request, the contract entity must submit to Aging Services Division an inventory listing of federal equipment as outlined in this manual, Section 25-25-55. Equipment.

Contracting 650-25-75

Procurement of Services 650-25-75-01

(Revised 1/1/07 ML#3061)

View Archives

The Department of Human Services, Aging Services Division, will contract for services in accordance with the following:

- NDAC Article 4-12 State Procurement Practices
- Department of Human Services Manual Chapter 240-03 Contracting for Services
- Department of Human Services Manual Chapter 120-01 Request for Proposal

Requests for proposal are issued for health maintenance, legal, nutrition, and outreach services. Awards for other services are offered through the applicable procurement requirements.

Contract 650-25-75-05

(Revised 1/1/07 ML#3061)

View Archives

Funds are awarded through the issuance of a contract document depending upon the service requirements.

A contract may be terminated with or without cause upon thirty (30) days written notice by either party.

Failure to perform the work or comply with the terms of the contract may result in non-payment, recapture of funds, or contract termination.

Subcontract 650-25-75-05-01

(Revised 8/1/09 ML#3186)

View Archives

A contract entity may subcontract with qualified entities provided that any such subcontract shall acknowledge the binding nature of the contract, and incorporates the contract, together with its attachments, as appropriate. The contract entity is solely responsible for the performance of any subcontractor.

The Department of Human Services, Aging Services Division, requires the completion and submission of a Subcontracting Form that identifies each subcontractor and the percentage of work being performed by each. Aging Services Division also requires the completion and submission of a Subcontractor Certification Form that certifies each subcontractor's compliance with North Dakota's laws and regulations, commitment to render the services, and registration, if applicable, with the North Dakota Secretary of State and holding of any required licenses.

Through the procurement process, the Subcontracting and the Subcontracting Certification Forms will be forwarded to entities for completion and submission to Aging Services Division. Throughout the contract term, contract entities are responsible for updating and resubmission of any information contained on the forms. For any new subcontractors, including the substitution of one subcontractor for another, the contract entity must submit the following: Identifying Data Form that indicates the reason for resubmission; the Subcontracting Form; and the Subcontracting Certification Forms.

The new form(s) will become a part of the contract.

Service Provision Form 650-25-75-05-05

(Revised 8/1/09 ML#3186)

View Archives

The Department of Human Services, Aging Services Division, requires the completion and submission of a Service Provision Form (applicable to nutrition, outreach, and health, services). The form(s) outlines communities, sites, frequency, etc., for the specific funded service.

Through the procurement process, Aging Services Division will forward the Service Provision Form to entities for completion and submission to Aging Services Division. Throughout the contract term, contract entities are responsible for updating and resubmission of any information contained on the Service Provision Form. The contract entity must submit the following: Identifying Data Form that indicates the reason for resubmission; and the updated Service Provision Form(s).

The new form(s) will become a part of the contract.

Identifying Data Form 650-25-75-05-10

(Revised 8/1/09 ML#3186)

View Archives

The Department of Human Services, Aging Services Division, requires the completion and submission of an Identifying Data Form. This form provides identification of legal entity information necessary for development of a contract. The form also provides identification of a contact individual who has been delegated authority to represent the legal entity as it relates to the contract.

Through the procurement process, Aging Services Division will forward the Identifying Data Form to entities for completion and submission to Aging Services Division. Throughout the contract term, contract entities are responsible for updating and resubmission of any information contained on the Identifying Data Form.

The Identifying Data Form must also be submitted with the resubmission of the Subcontractor Form, the Subcontractor Certification Forms, and the Service Provision Form(s). The Identifying Data Form must indicate the reason for resubmission of the specific form(s).

The new form(s) will become a part of the contract.

Fiscal Administration 650-25-80

Older Americans Act Budget 650-25-80-01

(Revised 10/20/08 ML#3160)

View Archives

The Older Americans Act Budget is developed each Federal Fiscal Year based on availability of Federal and State funds. Funding levels for State Funds to match Older Americans Act programs are set on a biennial basis by the North Dakota State Legislature. Funds are distributed using an allocation plan developed by Aging Services Division.

Aging Services Division retains the authority for final decision-making regarding the distribution of any additional funds as well as reductions due to a shortfall in funds.

Nutrition Services Incentive Program (NSIP) 650-25-80-05

(Revised 1/1/06 ML#2995)

View Archives

The Nutrition Services Incentive Program (NSIP) is funded through an appropriation to the United States Department of Agriculture. Funding levels are based on the total number of eligible meals served during the preceding federal fiscal year and the amount of funds authorized by Congress.

NSIP funds for each nutrition contract entity will be determined by the contract entity's share (percentage) of the total eligible meals served in the preceding federal fiscal year and the amount of funds allocated to the State of North Dakota. Funds will be disbursed upon receipt from the federal government.

Contract entities will request payment by reporting the number of eligible meals served on the Monthly Data & Payment Form.

North Dakota will continue to request cash-in-lieu of commodities. NSIP funds must be used to purchase food grown in the United States of America for meals provided during the federal fiscal year for which the funds were authorized.

Cost Sharing 650-25-80-10

(Revised 1/1/06 ML#2995)

View Archives

The 2000 amendments to the Older Americans Act allow states to implement cost sharing by clients for certain services funded under the Act. Cost sharing is prohibited for the following services: Information and Assistance, Outreach, Benefits Counseling, Case Management, Ombudsman, Elder Abuse Prevention, Legal Assistance, other Consumer Protection Services, Congregate Meals, Home-Delivered Meals, and any services delivered through a Tribal Organization. In addition, a state may not permit cost sharing by a low-income individual if the income is at or below the federal poverty line. The state may also exclude low-income individuals whose incomes are above the federal poverty line.

Cost sharing is not permitted for the majority of services currently funded with Older Americans Act funds. Since development and implementation of a system to address cost sharing would result in an unreasonable administrative and fiscal burden for both Aging Services Division and the contract entities, services are provided through tribal organizations, and a significant portion of clients receiving OAA services are low-income, cost sharing will not be implemented.

Program Income 650-25-80-15

(Revised 1/1/06 ML#2995)

View Archives

Program income is that income which is received as service contributions from eligible clients.

Program income is used within each service period towards meeting the expenses of the service provided, therefore allowing for the provision of additional service units. Program income can only be expended for the service from which it was generated except for congregate and home delivered meals where it can be used for either service.

Required Match 650-25-80-20

(Revised 1/1/10 ML #3216)

View Archives

The required non-federal cash match amount is identified in the Contract.

To meet the Administration on Aging's match requirement as well as the match requirement in the Contract, contract entities must use the following to calculate the match requirement for each service period: service period expenditure amount divided by .85 (85%); multiply that amount by .15 (15%) = required match.

Match is only required up to the amount that is identified in the Contract. Additional funds may be required to meet all program costs.

Funds received to provide Older Americans Act Family Caregiver Support Services must be matched with 25% non-federal cash match (federal award divided by 75% multiplied by 25%).

Additional Local Funds 650-25-80-21

(Revised 8/1/09 ML#3186)

View Archives

Additional local funds may be needed to meet the cost of providing services throughout the contract term.

Additional local funds should include only those costs associated with defined units of service/service delivery procedures as included in each service standard. Including costs outside of the scope of the service would present an inflated unit cost. Examples of undefined units of service/service delivery procedures are as follows:

- costs associated with wound care/dressing changes should not be included in additional local costs for health maintenance services;
- costs associated with the provision of ineligible meals should not be included in additional local costs for nutrition services;
- costs associated with provision of senior health insurance counseling should not be included in additional local costs for outreach services.

Additional local funds must be recorded on the Monthly Data & Payment Report as outlined in Section 650-25-85-01 of this manual.

Compensation 650-25-80-25

(Revised 8/1/09 ML#3186)

View Archives

Compensation for an identified unit of service is based on a contracted unit rate. The contract outlines the service to be provided, the award per service, and the contracted unit rate, as applicable.

Compensation for other services is based on approved line items as outlined in the specific contract.

Availability of an advance payment prior to performance for a contracted service will be addressed in the Request for Proposal or through separate correspondence.

The Nutrition contract entity will receive NSIP compensation as outlined in Section 25-80-05, Nutrition Services Incentive Program.

Non-payment or recapture of payment may result if the contract entity fails to meet terms identified in the Contract.

Mileage, Lodging and Meal Rates 650-25-80-30

(Revised 8/1/09 ML#3186)

View Archives

Under current Older Americans Act contracts, contract entities are reimbursed per unit of service or per approved budget. Therefore, contract entities are not required to follow State reimbursement rates but may choose to use the State reimbursement rates as a guideline.

As directed by the North Dakota Legislative Assembly, the reimbursement rates for mileage and lodging are established by policy by the director of the Office of Management and Budget. Rates are amended periodically. Meal rates are established by legislative action.

Audit Responsibility 650-25-80-35

(Revised 1/1/06 ML#2995)

View Archives

Audit responsibility will be outlined in the Contract, as applicable.

Fiscal Reporting Requirements 650-25-85

(Revised 8/1/09 ML#3186)

View Archives

As applicable to each contract, the Monthly Data & Payment Report (SFN 269) or the Request for Reimbursement – Direct Services (SFN 1763) must be submitted to Aging Services Division to receive reimbursement.

Availability of an advance payment prior to performance for a contracted service will be addressed in the Request for Proposal or through separate correspondence.

Monthly Data & Payment Report (SFN 269) 650-25-85-01

(Revised 8/1/09 ML#3186)

View Archives

The Monthly Data & Payment Report (SFN 269) is available in the web-based SAMS 2000 report section and as a PDF fillable form on-line at www.nd.gov/eforms. The report is due at Aging Services Division no later than 30 days after the end of the identified service period.

Required SAMS Reports as well as any other data outlined in each specific contract, must be submitted with the Monthly Data & Payment Report (SFN 269).

Instructions for Completion of the Monthly Data & Payment Report (SFN 269).

Legal Entity Name, Address, City, State, Zip Code: Complete as included in the contract.

Service Period From/Service Period To: Record the service period for which the payment is requested. Recording must include the month, days, and a four-digit year.

Contract Number: Record the contract number as it appears on the contract.

Vendor Number: Record the Office of Management and Budget (OMB) approved Vendor Number.

ASD File Number: Aging Services Division will record the ASD File Number for the first payment request. The contract entity must record the number on subsequent requests for payment.

Row A - Nutrition Education: Record the number of units provided during the service period and the dollar value associated with the service.

Row B - Nutrition Counseling: Record the number of units provided during the service period and the dollar value associated with the service.

Row C - Volunteers: Record the number of hours provided during the service period and the dollar value of the hours.

Row D - Unduplicated Individuals Served: Represents the unduplicated number of persons served for the service period. This number is generated automatically in SAMS and will auto-fill into the SAMS report form; the number must be manually entered in the PDF fillable on-line form.

Row E- Number of Eligible Units Provided: Represents the number of eligible service units provided for the service period. This number is generated automatically in SAMS and will auto-fill into the SAMS report form; the number must be manually entered in the PDF fillable on-line form.

Row F1 – Required Match Balance: Represents the beginning amount of required match that has not been met for the contract term. For the first payment request, the contract entity must record the amount as stated in the contract. For subsequent payment requests, the contract entity must record the amount from Row F3-Balance After Expenditure from the previous service period.

Row F2- Required Match Expended: The contract entity must record the amount of required match that will be expended for each of the contracted services for the service period until the match requirement is met for the contract term. To calculate the amount of required match for each service, divide Row K-Service Period Expenditure by .85 (85%) and multiply by .15 (15%).

Row F3 – Balance After Expenditure: Represents the balance of required match that has not been met for the contract term. The amount is automatically calculated and will auto-fill into the SAMS report form and the PDF fillable on-line form (Row F1-Required Match Balance minus Row F2-Required Match Expended).

Row G - Additional Local Expended: Record the amount of additional local funds expended for each service for the service period. If the contract entity is not able to record all of the additional local funds expended by the time the Monthly Data & Payment Report is due for payment, the additional local funds that were expended must be reported on the subsequent Monthly Data & Payment Report. An additional Monthly Data & Payment Report may be submitted no later than 30 days after the end of the contract period to report additional local funds expended during the last month of the contract period. Identify the additional form by recording the entire contract period in the Service Period From/To fields.

Row H1 - Program Income Received: Record the amount of program income received for each service for the service period.

Row H2 - Program Income Expended: Record the amount of program income expended for each service for the service period. Program income can only be expended for the service from which it was generated except for congregate and home-delivered meals where it can be applied to either service.

Row I - Contracted Unit Rate: Record the contracted unit rate per unit of service as identified in the contract.

Row J - Contract Balance: Represents the available balance for the contracted service. This amount will decrease as payments are made. The calculated amount from Row N - Balance After Payment must be recorded by the contract entity in Row J Contract Balance for each subsequent payment request until the contract funds are depleted.

Row K - Service Period Expenditure: Represents the amount of payment requested by the contract entity. The Service Period Expenditure must be calculated by the contract entity by multiplying Row E-Number of Eligible Units Provided by Row I-Contracted Unit Rate. If a contract entity is submitting a request for an advance payment as identified in the Request for Proposal (RFP) or other contract document, the requested amount must be recorded in Row K-Service Period Expenditure.

Row L - Less Advance Payments: Represents the amount of funds paid as the result of a payment prior to services being provided. If an advance payment was made, the contract entity must record that amount in Row L-Less Advance Payment in the subsequent payment request form.

Row M - Payment: Represents the amount of contract funds payable to a contract entity for the service(s) provided during the service period. This amount is automatically calculated and will auto-fill into the form (Row J – Contract Balance minus Row K-Service Period Expenditure minus Row L-Less Advance Payments, if applicable, equals Row M-Payment).

Row N - Balance After Payment: Represents the amount of contract funds that have not been expended. This amount is automatically calculated and will auto-fill into the SAMS report form and the PDF fillable on-line form (Row J-Contract Balance minus Row M-Payment equals Row N-Balance After Payment).

Row O - NSIP Payment: Represents the amount of NSIP payment based on the number of meals served during the preceding federal fiscal year and the amount of the State's NSIP award. NSIP payments will be disbursed upon receipt from the Federal government.

Coded Sections: The coded sections are for internal use by the Department of Human Services.

Signature Box: Sign and complete title and date fields. By signing, the contract entity certifies compliance with the match requirement as stated in the contract. The completed form must be printed and submitted to Aging Services Division for payment.

Other signature lines are for internal use by the Department of Human Services.

Request for Reimbursement - Direct Services (SFN 1763) 650-25-85-05

(Revised 1/1/07 ML#3061)

View Archives

The Request for Reimbursement – Direct Services (SFN 1763) is available as a fillable form. The report is due at Aging Services Division no later than thirty days after the end of the monthly service period. The State will make payment within thirty days after receipt of the request for reimbursement and required reporting, except that no payment will be made until the reimbursement and reporting have been approved by the State. The State will not make any advanced payments before performance by the contractor.

The form must be completed on-line, printed, signed, and submitted to Aging Services Division for payment.

Senior Centers 650-25-90

(Revised 1/1/06 ML#2995)

View Archives

Senior clubs and centers will be notified through the Department's procurement of services process of the availability of funding for senior center acquisition, renovation, or construction.

If, within ten years after acquisition, or within twenty years after the completion of construction, the owner of the facility ceases to be a public or non-profit agency or organization; or the facility ceases to be used for the purposes for which it was acquired (unless the Assistant Secretary determines, in accordance with regulations, that there is good cause for releasing the applicant or owner from the obligation to do so), recapture of payment shall occur as outlined in the Older Americans Act, Section 312.

A senior club that is considering disbanding should contact their respective Regional Aging Services Program Administrator to determine if the club received Older American’s Act funds for acquisition or construction of the center as the club may be required to repay a portion of those funds. Equipment acquired with Older American’s Act funds may be subject to re-distribution or recapture of payment.

Dissolution of a Non-Profit 650-25-95

(Revised 1/1/06 ML#2995)

View Archives

If a senior club or other non-profit corporation was formally incorporated in the State of North Dakota, a formal dissolution process is required under the Non-Profit Corporations Act (North Dakota Century Code Chapter 10-33). Contact should be made with the Secretary of State's Office to complete the process.